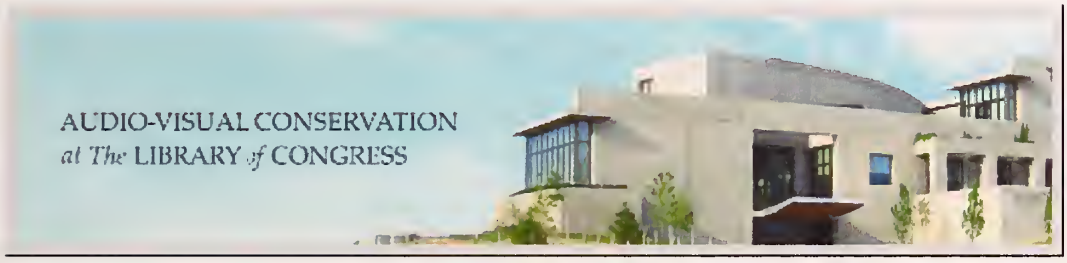


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MAR 20 '46

GIFT OF PUBLISHER

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 35. NO. 1 NEW YORK, TUESDAY, JANUARY 2, 1934 TEN CENTS

Thalberg Sees Program Rush Knell of Type

Predicts 1934 Success For "Attractions"

HOLLYWOOD, Jan. 1.—A splurge in program pictures which will end program pictures is what Irving Thalberg of M-G-M sees in the crystal for the new year.



Irving Thalberg

"I believe that 1934," he said today, "will see an attempt to make a tremendous amount of program pictures, and, as a result of that pressure, it will mean the end of the program picture because the difference between

(*Continued on page 12*)

Authority Finance Problems Up Today

Methods on financing Code Authority will come up today when S. R. Kent, Charles L. O'Reilly, H. M. Warner and Nathan Yamins, the committee, discuss various plans. It is understood several proposals already have been advanced to the committee and the best will be agreed upon and sent to the authority for approval.

Second session of the Code Author-

(*Continued on page 2*)

Authority to Move Into RKO Building

Headquarters of the Code Authority are set in the RKO Building in Rockefeller Center and the committee, consisting of Charles L. O'Reilly, H. M. Warner and R. H. Cochrane, will report favorably on this spot. Two offices are under consideration, one on the 18th floor and another above it, and it is likely that the higher exposure will serve as the background for the board.

New Chicago Union Claims 100% Lineup

CHICAGO, Jan. 1.—Unionization of janitors, ushers, and ticket takers is 100 per cent complete here, according to Jerry Moran, president of the

(*Continued on page 2*)

1933's Story, Told Day-By-Day

Day-by-day happenings in the industry, as told in the headlines of *Motion Picture Daily* for the complete year of 1933, are presented on pages 4, 8, 9 and 12 of today's issue, the first of the new year.

The story of the headlines reveals that 1933 ushered in some of the most significant developments that have come to the industry in any single year of its history. Foremost among these, despite the fact that its results are not yet manifest were the arduous negotiations which resulted in placing the industry under an NRA code, with its accompanying important changes in trade practices, employment and wage scales.

The further economic adjustment of the industry, begun in 1932, attained stable proportions during the past year, although leading production, distribution and exhibition concerns were forced to resort to receivership and bankruptcy proceedings in order to adjust themselves, in some instances, to the new order.

Federation to Set Producing And Ad Codes

Production and advertising codes of ethics for independent producers and distributors will be drawn up by the committee on standards of the Federation of the M. P. Industry, independent trade organization, within the next few days. The codes will be designed to impose standards for improving the moral tone of independent productions and advertising, and constitute a rejection of a recent offer of the M.P.P.D.A. for independents to avail themselves of the advertising advisory services of the new department headed by J. J. McCarthy.

The standards committee which will set up new rules of self regulation for independents consists of Eddie Golden, Herman Gluckman, Charles

(*Continued on page 2*)

Free Parking Up as a Code Board Issue

Whether or not free automobile parking offered to patrons of many metropolitan theatres comes under the code ban on premiums is expected to be one of the first questions requiring a ruling from local grievance boards.

Numerous requests are being made by exhibitors for an interpretation covering this question, it was learned yesterday. All queries point out that the code clause covering rebates does not mention free parking specifically, while providing that admission scales shall not be lowered by "giving rebates in the form of lotteries, prizes, reduced script books, coupons, throw-away tickets or by two-for-one admissions, or by other methods or devices of similar nature which directly

(*Continued on page 2*)

Dr. Lowell Declines

By MARTIN QUIGLEY

CERTAIN undesirable consequences have followed in the wake of the refusal of Dr. A. Lawrence Lowell to accept the President's invitation to serve as a government representative on the motion picture industry code authority.

Because of Dr. Lowell's distinction as an educator and as a citizen his interest in and contact with the industry would have been welcomed had he seen his way clear to accept the President's invitation. The selection of Dr. Lowell, however, was a puzzling one due to the fact that he professed little or no familiarity with motion pictures and the affairs of the industry. The correctness of this profession is attested to in the announced reasons for his refusal to serve.

Dr. Lowell's interest in the motion picture question, presumably, would have had to do with those phases of it which affect the public welfare. His objective, it is supposed, would have been to exert an influence for the betterment of the moral character of pictures.

He has predicated his refusal to serve largely on the grounds that

(*Continued on page 2*)

More Majors May Restore Salary Cuts

M-G-M, Loew's and Fox Expected to Act

More companies are expected to follow the lead of United Artists in returning cuts to employes. M-G-M, Loew's and Fox are reported to have discussed the situation with the probability official announcement reinstating the slashes, or part of them, will be forthcoming shortly.

Last week Columbia played Santa Claus to its non-executives and distributed Christmas gifts in the form of a bonus.

United Artists was the last to institute the cuts and now is the first to return them. More than 600 workers throughout the country will receive part and whole pay cuts this Friday, which is pay day, and the first under the new order of things.

Former Pathe Men In Liquor Concern

A large bloc of the former Pathe executive organization headed by Joseph P. Kennedy is now operating the liquor importing and distributing company known as Somerset Importers, Ltd., at 230 Park Ave. Reliable reports have Kennedy as the "silent" controlling factor in the enterprise, although this was denied by the Somerset offices.

E. J. O'Leary, former general sales manager of Pathe, is president of Somerset; Thomas Delehanty, former

(*Continued on page 2*)

Censoring of Stills No Worry, Say Some

HOLLYWOOD, Jan. 1.—Local representatives of fan magazines handling leg art and off-color stills say they are in no way alarmed over the Hays edict to eliminate that type of material. Some take the order very nonchalantly, declaring that the home offices of their publications have enough leg art in their files to keep the magazines filled for more than a year.

New Fox Met. Plan Looked for Feb. 18

Reorganization plans for Fox Metropolitan Playhouses are expected to be completed by Feb. 18, the date on which the present six months' receivership term expires. If the plans are

(*Continued on page 2*)

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MOTION PICTURE DAILY

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JAMES A. CRON
Advertising Manager

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Free Parking Up As Code Board Issue

(*Continued from page* 1)

or indirectly lower or tend to lower such announced admission prices and which are unfair to competing exhibitors or tend to deceive the public."

Some code interpreters hold that the latter part of the clause would ban any and all forms of gratuities, even the serving of free coffee to patrons, while others are of the opinion that practices which do not actually lower the price of admission charged by a theatre do not come under the code ban. Final settlement of the question is expected soon.

Authority Finance Problems Up Today

(*Continued from page* 1)

ity is expected to last from two to three days. Various reports of the six committees appointed by the body at the first session will be passed on during the meeting. Definite action is expected on rules of Code Authority, the secretaryship and headquarters, while others are expected to be discussed and tabled for the following session, to be designated at the close of the conference.

The board will meet at the Bar Ass'n. Bldg., at 2 P.M. next Thursday.

Clearance Group Meeting

S. R. Kent, Charles L. O'Reilly, George J. Schaefer, W. Ray Johnston and Nathan Yamins, the Code Authority committee on clearance and zoning and grievance boards, meet today to discuss a preliminary report.

Dr. Lowell Declines

By MARTIN QUIGLEY

(*Continued from page* 1)

the continuance of the practice of block-booking would have rendered futile any efforts which he might have put forth. In assuming this attitude, Dr. Lowell adds weight to our initial conclusion relative to his selection for the code authority which was that he did not know enough about the subject matter to be of any definite use to the public or to the industry.

Dr. Lowell would have block-booking eliminated so that the exhibitor would be called upon to assume full responsibility for the character of the pictures shown. In other words, he would transfer full responsibility for the character of the product from a handful of the principal producing executives to the many thousands of exhibitors located in cities and towns throughout the land. He would drop the principle of eliminating the evil at the source and resort to an effort to have the necessary regulation effected at the many thousands of individual outlets to the public.

Had Dr. Lowell, at any point, given his customary thought and study to the question we are sure he would have reached a different conclusion.

▲

IT IS, of course, a fact that the practice of block-booking involves certain arresting problems. In the industry there is one school of thought entirely against it and another which is entirely for it. But in no correct sense is it a question which should have commanded the attention which it has received from Dr. Lowell because, obviously, his principal concern is the maintenance of right moral values in motion pictures and, again obviously, the one place where this can and should be done is at the source. Any other scheme multiplies the difficulties and minimizes the chances of good results.

It would be very desirable to have the exhibitor completely responsible for what he shows on his screen. In fact, there should not be at any time any interference with the exhibitor's right to conduct his theatre, in all respects, just as he sees fit, being held accountable only to his public and his public's laws. But the one certain and effective way of regulating the character of the product is to regulate it at the source which, of course, is in the studio.

Dispatches from Boston report that Mrs. Frederick H. Bagley, head of the motion picture committee of the Massachusetts Civic League, has also declined appointment to the Code Authority and for the same reason advanced by Dr. Lowell.

▲

THESE declinations are unfortunate because they reflect adversely on the industry in that they have resulted in certain unfavorable publicity which only serves to confuse the public mind in that the refusals to serve are predicated on a misunderstanding of the objective to be reached and the best means with which it may be reached. A little more real knowledge of the situation would have been helpful to the public interest and would have saved the industry a criticism which is not in order.

Roy Haines Returns

Roy Haines, metropolitan district manager for Warners-First National, returns today from Cincinnati, his home town, where he spent the holidays. Sam Lefkowitz, office manager of the local branch, is vacationing in Miami.

G. F. Lord Joins Castle

George F. Lord, advertising and sales executive, has joined the New York staff of Castle Films. Lord has been director of advertising for I. E. du Pont De Nemours & Co. of Wilmington and advertising manager for Chevrolet.

Trading Light—Eastman Up One

	High	Low	Close	Net Change	Sales
Consolidated Film Industries, pfd	10⅜	10⅜	10⅜	— ⅛	100
Eastman Kodak	81	80⅝	81	+1	200
Loew's Inc.	28¾	28¼	28¾	+ ¼	1,700
Pathe Exchange	1⅝	1⅝	1⅝	— ⅛	100
Pathe Exchange "A"	11	10¾	11	— ¼	200
RKO	2¼	2⅛	2¼	.....	200
Warner Bros.	5¼	5	5¼	+ ¼	1,800

Curb Market Issues Steady

	High	Low	Close	Net Change	Sales
Technicolor	9	8⅞	9	.....	200
Trans Lux	2⅜	2⅜	2⅜	.....	100

Bonds Up, With Warners Leading

	High	Low	Close	Net Change	Sales
Keith B. F. 6s '46	52½	52	52½	+1½	2
Loew's 6s '41 ww deb rights	85¾	85¾	85¾	—1	1
Paramount F. L. 6s '47	30⅛	30	30⅛	+ ⅛	2
Paramount Publix 5½s, '50	30	30	30	.....	4
Warner Bros. 6s '39 wd	43½	41½	43½	+1¾	86

Former Pathe Men In Liquor Concern

(*Continued from page* 1)

Pathe foreign manager, is treasurer, and P. J. Scollard, former executive vice-president of Pathe, is president of Interstate Distributing Corp., an allied concern which has New England territory sales rights. Both Somerset and Interstate are reported to be affiliated with National Distillers Corp. With Scollard in the New England concern are Ed Ballantyne, formerly in charge of Pathe exchange operations, and John MacAloon, former assistant general sales manager for Pathe.

Somerset is distributor of Haig & Haig and John Dewar Scotch whisky. Kennedy is reported to have completed arrangements for handling these brands with Distillers Co., Ltd., of Edinburgh, in the course of his recent European trip.

Federation to Set Producing, Ad Codes

(*Continued from page* 1)

L. Glett and Harry Thomas, president of the Federation. The new executive committee of the Federation will hold its first meeting tomorrow. The finance committee meets shortly thereafter to perfect plans for permanent financing of the organization. One plan reported to be favored fixes dues for distributor members at $50 per year for each zone in which the member operates, and for producer members at $5 per negative reel release, with a $50 minimum.

Expect Federation To Name Alec Moss

Alec Moss in all probability will be named permanent executive secretary of the Federation of the M. P. Industry by a committee comprising Jack Bellman, Edward Golden and Harry Thomas, president. Headquarters are likely to be in the RKO building in Rockefeller Center.

New Fox Met. Plan Looked for Feb. 18

(*Continued from page* 1)

not completed by that time a move will be made to continue the receivership before Federal Judge Mack.

Recently four houses have been turned back to owners by Simon Fabian and Irving Trust Co., co-receivers. They are the Kismet, State and Sumner, Brooklyn, and the Victoria, Elmhurst, L. I., leaving about 95 houses in the circuit.

New Chicago Union Claims 100% Lineup

(*Continued from page* 1)

Building Service Employes' Union, who is also president of the Flat Building Janitors' Union.

Moran said satisfactory arrangements had been reached with B. & K. and other circuits, but said no progress had been made with independents. Aaron Saperstein says his houses have not been approached by union representatives.

Reopen Bayonne House

Reopening of the Opera House, Bayonne, N. J., by Feiber & Shea is playing havoc with theatres in that town. Initial attraction was "The Bowery."



LET'S FALL IN LOVE

A Musical Romance of Two Hearts in Love Time

with **EDMUND LOWE**

Ann Sothern — Miriam Jordan

Gregory Ratoff

Story and screen play by Herbert Fields

Music and lyrics by Harold Arlen and Ted Koehler

Directed by David Burton

A COLUMBIA PICTURE

COLUMBIA PICTURES

Day-by-Day Chronology of '33

January

Jan. 3.—Major distributors agree to original proposal of inaugurating national appeal board for three-year term in place of one-year trial favored by some distributors earlier.

Increasing interest of Rockefeller family in industry, through Chase bank holdings, involving Fox and Loew's, in addition to RKO-Radio City association, stirs speculation.

Jan. 4.—Radio City Music Hall grosses $106,400 in first week, as compared with S. L. (Roxy) Rothafel's advance estimate of $130,000.

Jan. 5.—RKO changes Music Hall policy from stage shows to film and presentations.

Jan. 6.—Operation of Radio City Music Hall turned over to cabinet of seven headed by Harold B. Franklin. Begin trimming house's overhead.

Jan. 7.—John Hertz, Chicago financier, a power in Paramount Publix for the past year, resigns chairmanship of finance committee and withdraws from Paramount. Move ascribed to conflict in authority between Hertz and Zukor, with Paramount bankers seen backing up latter.

Jan. 9.—Adolph Zukor's assertion of authority in events ending in resignation of John Hertz regarded in industry as victory for film executive rule as against rule by outside parties.

Jan. 10.—Paramount Publix directors elect George Schaefer, Sam Dembow, Jr., and Walter B. Cokell to membership on board and appoint all three to executive committee.

Jan. 11.—S. R. Kent voices opposition to admission cuts by circuits, declaring Fox policy of demanding 25-cent minimum admission on its "specials." Broadway begins cutting scales. Moves on in other cities.

Jan. 12.—M. A. Lightman, M.P.T.O.A. president, advised Universal will make new standard contract available "within month."

Jan. 13.—Ranking M-G-M executives leave for coast to confer on negative costs. Paramount will offer new standard contract March 1.

Jan. 14.—Joseph M. Schenck will end activity as producer, retaining presidency of United Artists, however, Hollywood hears.

Jan. 16.—Federal re-instatement of war-time admission taxes of 10 per cent on scales from 10 cents up seen probable in Washington.

Jan. 17.—Victoria Amusement Co. starts anti-trust suit against major distributors, Warners and subsidiaries in Camden, N. J., Federal court.

Jan. 18.—Picketing of New York theatres, underway for months because of rival operator union controversy, seen ending.

Jan. 19.—Final drafts of new industry program including establishment of national appeals board as supreme court of industry for internal disputes sent to exhibitor units for study.

Jan. 20.—Discussions of physical distribution merger among majors seen halted for time being by new and more pressing problems.

Jan. 21.—Harry Brandt believed in line for control of 7th Ave. Roxy. Court approval needed.

Jan. 23.—Large distributors reported considering action at spring sales meets which would result in several companies fixing 20-cent minimum admission provision in contracts.

Jan. 24.—Fox reported ready to take over Educational physical distribution. No merger involved.

Bancamerica-Blair Corp. linked with RKO receivership. MOTION PICTURE DAILY reveals Alfred West, receivership petitioner, is associated with banking company.

Jan. 25.—Educational-World Wide selling and physical distribution to be handled by Fox under five-year deal. Dispenses with Educational's sales.

Publix completes decentralization of entire circuit, resulting in turning over 90 per cent of operating authority and duties to men in field.

Jan. 26.—Fox Theatres start partial decentralization move, with relinquishing of operation of midwest units.

Lewis J. Selznick dies in Hollywood.

James C. Ritter, Detroit exhibitor, elected president of Allied States, succeeding W. A. Steffes. Abram F. Myers continues as chairman of board, general counsel.

Survey reveals 5,895 theatres closed in U. S. on Jan. 1.

Jan. 27.—Paramount Publix consents to equity receivership action. Adolph Zukor and Charles D. Hilles, prominent insurance man and former chairman of Republican National Committee, named receivers by Federal Judge Bondy. Paramount directors call move a "protective" one in interests of company's bondholders and creditors. Publix Enterprises, theatre subsidiary, files petition in bankruptcy.

Jan. 28.—RKO consents to Alfred West petition for receivership. Believed friendly action in light of MOTION PICTURE DAILY's earlier disclosure West was associated with Bancamerica-Blair Corp., interested in RKO six per cent gold notes.

Orpheum files petition in bankruptcy.

Jan. 30.—Paramount Publix and RKO executives see "re-birth" of companies on healthier basis, with receiverships undertaking reorganization of unprofitable theatre holdings.

Jan. 31.—Irving Trust Co., RKO receiver and Orpheum Circuit trustee in bankruptcy, begins study of companies' tangled financial structure.

February

Feb. 1.—Irving Trust, trustee in bankruptcy for Publix Enterprises, begins study of theatre holding company.

RKO files receivership schedules showing total assets with an estimated book value of $104,000,000 and liabilities of $19,500,000.

Feb. 2.—George Topliff named by Irving Trust Co., to direct Publix bankruptcy.

Feb. 3.—First Choice Pictures completes organization. To operate on franchise plan with J. D. Williams, Earl Hudson and other former First National executives at head.

David O. Selznick resigns Radio post.

Feb. 4—No merger for Warners, Jack L. Warner says at Kansas City, en route to Hollywood. Company plans 60 for 1934.

Merian C. Cooper named to succeed David O. Selznick at Radio.

Feb. 6.—Publix to retain only skeleton executive staff in New York.

Feb. 7.—New tax bills before state legislatures aggregate 300 to 400 millions.

Sam Katz reported seeking United Artists release for his planned product.

Feb. 8.—Reorganization of M-G-M production believed in prospect with David O. Selznick reported an associate producer.

Feb. 9.—Important banking and administrative interests form RKO stockholders' protective committee.

Feb. 10.—Ed Wynn tells MOTION PICTURE DAILY he has signed M-G-M contract; company also reported after Jack Pearl.

Universal Chain Theatres Corp. consents to friendly receivership in Baltimore Federal court.

Warners form 41 theatre units, incorporated in Pennsylvania. Home office denies decentralization move is on.

Feb. 11.—M-G-M denies Irving Thalberg's place to be filled by another. Thalberg on leave due to illness.

Feb. 13.—David O. Selznick was signed by M-G-M to speed up behind schedule production, and will have no effect on status of Irving Thalberg, Howard Dietz, M-G-M advertising and publicity director, declares.

Contracts of Paramount players and executives to be switched from Paramount Publix, bankrupt, to Paramount Prod., Inc., is report as Henry Herzbrun, company's studio attorney arrives at home office.

Fox New England in equity receivership.

Feb. 14.—M-G-M scheduled to put new optional uniform contract in use tomorrow.

Feb. 15.—Major distributors, influenced by economy programs, seen favoring small, regional sales meetings in place of large national confabs; $50,000 saving seen.

Michigan banks close throughout state. Theatres remain open.

Feb. 16.—Reports link Sam Katz with high United Artists post. Katz denies.

Feb. 17.—Connecticut court authorizes foreclosure on Fox New England houses.

Feb. 18.—First report of RKO receivers, published exclusively in MOTION PICTURE DAILY, reveals company to be in liquid condition with assets exceeding liabilities hy more than four to one. Irving Trust, continued by Federal court as RKO receivers.

Feb. 20.—Resignation of Edwin Loeh as studio abritrator under producer's pact designed to end star and talent "raids," seen as indication of pact's failure to work.

Feb. 21—Skouras freres begin decentralization of Fox Theatres; national circuit to be operated from five focal cities.

Feb. 23.—Delayed sales conventions and consequent late opening of selling season for 1933-34 product forecast exclusively hy MOTION PICTURE DAILY.

Feb. 24.—Reorganization of Publix Enterprizes, providing for sale of its assets to Paramount Publix, may be ready in six months.

Feb. 25.—New York federal court dismisses long-pending monopoly suit against Paramount filed by Edward Quittner. Middletown, N. Y., exhibitor, who asked triple damages in excess of $5,000,000.

Feb. 27.—Complications in theatre situation because of bankruptcies and receiverships may influence Universal in delaying signing of new uniform contract.

Feb. 28.—Fox West Coast circuit of 50 houses files voluntary petition in bankruptcy in Los Angeles. Charles Skouras and John Treanor made co-receivers.

March

March 1.—Fox West Coast plans immediate disposal of all unprofitable houses.

March 2.—Distribution executives report no unusual falling off of sales as result of theatre bankruptcies and receiverships.

March 3.—Industry goes on cash basis as bank holiday situation becomes acute. Only cash or postal money orders accepted.

Federal court at Chicago denies petition for receiver for Publix-B. & K. and Great States.

N. L. Nathanson reported ready to come back into Paramount theatre operations.

March 4.—First report of Paramount receivers reveals company in liquid position with assets of over $150,000,000 and liabilities of about $48,000,000.

MOTION PICTURE DAILY exclusively reveals resignation of Charles E. Richardson as Fox treasurer and his association with Chase Bank.

March 6.—Leaders encouraged by "action" policy on national economic problems stressed by President Roosevelt in inaugural address.

March 7.—Distributors' credit and collection system reported functioning successfully in face of national bank holiday. Circuit executives report business holding up.

March 8.—Production executives say studios will shut down only as "last resort."

March 9.—Seven major companies vote salary cuts of 50 per cent on wages over $50 weekly and 25 per cent on those under $50. Warner studio players balk at cut. Some studios, short on cash, defer pay checks; others pay in part. Estimate about 35,000 persons affected by cut.

March 10.—Pay cut plan extends to all MPPDA member companies.

March 11.—Studio locals of I.A.T.S.E. refuse to accept pay cut; ask for I.O.U.'s.

March 13.—M-G-M and Fox withhold new picture releases. Currency situation because of bank closings throughout country seen as reason.

March 14.—Ten major distributors assure exhibitors of normal product supply during bank emergency, as aftermath of M-G-M and Fox action in shutting off releases.

March 15.—Major companies revive pay cut program by exempting all salaries up to $50 weekly. Graduated scale of cuts from 25 per cent up to 50 per cent adopted for those over $50.

Paramount Publix files voluntary petition in bankruptcy.

All studios but Fox reopen following one day shutdown.

March 16.—Federal court at Boston rules unauthorized picture holdovers are violations of copyright laws as well as breaches of contract, and, therefore, may be prosecuted under Federal statutes.

March 17.—M-G-M and Fox rescind action cancelling picture releases.

March 18.—Adolph Zukor and Charles D. Hilles, co-receivers for Paramount Publix, continued as conservators under company's bankruptcy until April 3 when trustees will be elected.

March 20.—Union labor's position on salary cut to be defined in New York meeting in few days. May result in studio shutdown. Studio crafts openly oppose cuts.

March 21.—Hollywood expects 85 per cent of studio workers to accept pay cut on eve of putting slashes in effect.

March 22.—Lowered morale in exchanges may result in shortening period of pay cuts for distribution branch of industry.

March 23.—Major circuits agree with vaudeville acts on 25 per cent salary cut until Sept. 1.

March 24.—Los Angeles theatres stage quick "come-back" after earthquake and reopening of banks.

March 25.—Company heads discuss plans for ending salary cuts; said to hinge on return of film receipts to pre-bank holiday levels.

March 27.—Studio union leaders gather in New York for discussions of wage cut actions.

March 28.—Mergers of physical distribution and reductions of stars' salaries needed to help industry out of financial plight, Will H. Hays says in annual report of M.P.P.D.A. members.

March 29.—Leo Spitz, executive advisor in Paramount Publix affairs for past year, resigns unexpectedly, MOTION PICTURE DAILY learns exclusively.

March 30.—Congressman William I. Sirovich, of New York, asks Federal investigation of industry.

March 31.—Sidney R. Kent, president, says Fox will not go into receivership; plans financial reorganization of company.

April

Apr. 1.—Fox Film stockholder withdraws petition for receivership for company following completion of Sidney Kent's plan for financial reorganization.

Apr. 3.—Universal Chain Theatres Corp. disposes of its last three houses.

Apr. 4.—Columbia ends 25-50 per cent salary cuts after four weeks. Other companies expected to follow suit soon.

Producing Artists, Inc., headed by Sam Katz, is organized.

Apr. 5.—Will H. Hays and eastern heads of all major companies to prepare to leave for Hollywood to discuss industry problems and reconstruction with production executives, MOTION PICTURE DAILY reveals.

Apr. 6.—M-G-M obtains temporary injunction restraining State of New Mexico from enforcing its newly enacted law requiring distributors to offer pictures for sale to highest bidder. Distributors' petition cites law as unconstitutional and burden on interstate commerce. Hearing to make injunction permanent scheduled for tomorrow, according to MOTION PICTURE DAILY's exclusive story.

Apr. 7.—Contingent of major company heads and Will H. Hays en route to Hollywood, with Red Kann, MOTION PICTURE DAILY editor, the only trade paper representative aboard executives' train.

Apr. 8.—Aim of industry heads is to find way to balance operating costs with grosses, Red Kann ascertains aboard train bearing major company executives to Hollywood, as Broadway acclaims his presence on train as achievement of progressive journalism.

(*Continued on page* 8)

Events are listed in the order in which they appeared in MOTION PICTURE DAILY and not always in chronological sequence.

The Greatest Maker of Musical Pictures now comes through with the successor to "Dancing Lady" and "Going Hollywood". Get behind



Ramon NOVARRO and Jeanette MACDONALD in the hit that rocked the nation. Jerome Kern's greatest score, your Patrons will love it.

The production is Typically -

Metro - Goldwyn - Mayer

"AN ACE

Universal's Glorious Dramatic Romance, With Haunting Music and Songs!



Belo



ATTRACTION"

—Says Daily Variety

"'Beloved' is a running mate for 'Only Yesterday,'" says Daily Variety. "Story, direction, casting and individual performances all bespeak a thoughtfulness in production that most pictures lack...NOTHING IS MISSED TO MAKE IT ACE ENTERTAINMENT, particularly for the women."

Says Hollywood Reporter:

"Aimed directly at the feminine half of the audience and played throughout in the key of old-fashioned romance — the kind that lasts a lifetime..."

Beloved

with JOHN
BOLES
GLORIA
STUART

Morgan Farley, Ruth Hall, Albert Conti, Dorothy Peterson, Edmund Breese, Richard Carle, Lucille Gleason, Mae Busch, Jimmy Butler. Story by Paul Gangelin. Presented by Carl Laemmle.

A B. F. Zeidman Production

Directed by
VICTOR SCHERTZINGER

Year Was Swift and Momentous

(*Continued from page 4*)

New Mexican sales law held in abeyance until June 12, as M-G-M's temporary injunction restraining its enforcement is extended to that date.

Apr. 10.—Industry leaders arrive in Hollywood with objective of establishing a new economic order in industry based on changed business conditions. Will H. Hays declares industry must balance its budget immediately.

Apr. 11.—Salary cuts must be rescinded by any company which an audit of its books shows was not hurt by emergency bank holiday, coast ruling holds. Cuts upheld for other companies, but only for period during which they showed actual losses.

Apr. 12.—Sympathy of industry interests in financial emergency seen influencing adoption of a new "gentlemen's agreement" among major companies involving elimination of costly competitive practices.

Apr. 13.—Major company heads consider setting up industry dictator on coast to control stars' salaries through organization of a United Booking Office.

Apr. 14.—Major companies' heads propose five basic economy plans to reduce industry overhead, viz.: cooperative newsreel coverage based on Associated Press plan; barter plan by which company funds tied up in foreign countries because of money embargoes would be released by using them to purchase foreign goods for resale here; reduction of film footage now devoted to screen credits; establishment of central purchasing depot for all studios; closer study of story purchases with eye on production costs.

Apr. 15.—Darryl Zanuck resigns as production chief at Warners following dispute with company as to effective date of rescinding salary cuts for studio employes.

Coast conference of major executives ends with note of confidence in future. All companies but Universal decided on ending salary cuts. Plan for production dictator and United Booking Office to control star salaries abandoned.

Apr. 17.—Major companies agree in Hollywood to pool process patents and stories and cooperate further on loans of talent and studio properties to effect economies. Artists' Service Bureau to be organized, with Jason Joy in charge, to be "clearing house" for talent. Opposition to it voiced in Hollywood.

Apr. 18—Paramount Publix creditors elect Charles D. Hilles, Louis J. Horowitz and Eugene W. Leake trustees in bankruptcy of company.

Apr. 19.—Important Hollywood talent voices for independent production.

Apr. 20.—M-G-M negative costs expected to be fixed by New York under plan worked out by President Nicholas M. Schenck and broached to Louis B. Mayer.

Darryl Zanuck associates with Joseph M. Schenck in new producing company which will release through United Artists.

Apr. 21.—Independent companies interested in physical distribution merger similar to that studied by major companies and calculated to save independents $1,000,000 annually.

Apr. 22—Academy of M. P. Arts & Sciences nears open break with major studios following Conrad Nagel's resignation from presidency.

Apr. 24.—Possible savings to studios of $6,000,000 annually seen through operations of Artists' Service Bureau.

Apr. 25.—Monogram to double budget, W. Ray Johnston tells convention.

Apr. 26.—Will H. Hays' influence extended to enforce production code of ethics more effectively.

Apr. 27.—MOTION PICTURE DAILY learns no foundation exists for reports Will H. Hays will be replaced.

Apr. 28.—Plans to gauge story values before approving buys seen resulting in production economies and cleaner pictures.

Apr. 29.—Academy plans reorganization with producer representation limited to those not empowered to make contracts with talent.

May

May 1.—Distributors studying proposal for contracting with exhibitors for fixed amount of playing time rather than for rental of specific pictures.

May 2.—Highly competitive sales season seen with possible increase of field sales forces as result of return of 1,900 decentralized theatre accounts to field territory.

R. A. Rowland resigns vice-presidency of Fox.

May 3.—New season rentals may be higher as result of probable increase in distribution costs.

Paramount's operating costs to be paid out of distribution revenue only; development seen increasing authority of George J. Schaefer, general sales manager.

May 4.—Major distributors agree to hold no sales conventions this season prior to an approximate July 1 deadline, MOTION PICTURE DAILY learns exclusively.

May 5.—President Roosevelt's plan for government of industry through trade association agreements, involving three-year suspension of anti-trust laws, exclusively interpreted by MOTION PICTURE DAILY as having far-reaching effect for film industry if President's plans are approved by Congress.

All companies revise sales convention dates following agreement of distributors to hold no meets prior to July 1 date.

May 6.—Paramount will make no bank loans during 1934. To operate solely out of distribution revenue.

May 8.—Flood of bills introduced in 47 state legislatures affecting film industry seen subsiding with minimum of adverse legislation having been enacted.

May 9.—William Morris Agency reported ready to enter theatre operation to forestall further cuts of vaudeville and presentation acts' salaries.

Bankruptcy examination of Paramount Publix officers begins with Ralph Kohn, former treasurer, testifying theatre losses hastened company's financial difficulties.

May 10.—Final plans for industrial recovery go to President with provisions for Federal board to oversee trade agreements, designed to end cut-throat competition, restore wages and increase employment.

May 11.—Increased production of shorts seen resulting from curtailment of double featuring throughout country.

May 12.—Pooling of available story material by major studios not having bad effect on original or new story market.

May 13.—Sirovich bill for investigation of industry defeated in House.

May 15.—Circuits see no summer film shortage but some are apprehensive over drawing power.

May 16.—Expect agreement on tariff truce at London economic conference.

Paramount Publix trustees in bankruptcy file action to have company's $13,200,000 credit transaction of March, 1932, set aside as preferential to 12 participating banks.

U. S. Circuit Court of Appeals at New York gives old Roxy exclusive right to use of name.

May 17.—Circuits considering vaudeville acts to bolster summer programs feared weakened by poor films.

Opposition to German Nazi regime abroad creating increased demand for American product to supplant German pictures.

May 18.—Federal licensing of industry to replace operation of anti-trust laws under President Roosevelt's industrial control plans.

May 19.—Cooperation of all industry elements to draft code of trade practice, wage scales and inter-company relations, seen required under President Roosevelt's plans.

Charles E. Richardson, treasurer of Fox Film and former head of Film Securities Corp., slated to succeed Louis J. Horwitz as trustee in bankruptcy for Paramount Publix, MOTION PICTURE DAILY learns.

May 20.—Charles E. Richardson elected Paramount Publix trustee in bankruptcy.

May 21.—Major distributors consider second postponement of sales conventions.

May 23.—Negotiations between major studios and "Big Four" labor unions for new basic studio agreement end in deadlock as studios refuse to recognize I.A.T.S.E. demand for inclusion of film editors and cutters in their ranks.

May 24.—President Roosevelt's industrial control bill scheduled to go to House for consideration tomorrow.

M. A. Lightman, M.P.T.O.A. president, will "swap" jobs with Ed Kuykendall, Tri-States M.P.T.O. president.

May 25.—Elimination of RKO Roxy as a first run eases Broadway picture supply.

May 26.—George J. Schaefer made general manager of Paramount Publix and subsidiaries. Seen killing report N. L. Nathanson will join.

May 27.—S. A. Lynch, former head of Southern Enterprises, returns to activity in charge of Paramount Publix theatres.

May 29.—Paramount seem aiming at retention of large national circuit control in appointing S. A. Lynch on reorganization.

May 31.—Film industry draws plans for participating of all its trade organizations in drafting a code under Federal industry control, MOTION PICTURE DAILY learns exclusively. Legislation making President's plan a law, now before Senate.

June

June 1.—N. L. Nathanson elected president Famous Players Canadian Corp., succeeding Adolph Zukor.

Loew washing up exclusives. Policy ends in six cities when grosses fail to hold.

June 2.—Annual loss of $10,000,000 suffered by distributors through infringement of copyright law by illegal showing of films.

June 3.—Warner business rising out of depression, according to financial statement reporting loss of $3,442,325 for 26 weeks ending Feb. 25, 1933, as compared with net loss of $5,267,699 for year before.

June 5.—Action on Artists' Service Bureau to await enactment of Administration Industry Control Bill.

June 6.—Court ruling increases A. H. Blank's holdings in Omaha territory.

June 7.—M.P.T.O.A. heads conferring or organization's participation in code.

June 8.—Will Hays calls for general meeting of all branches of industry to discuss preliminary code plans.

June 9.—George W. Trendle starts deal to regain control of Publix houses in Detroit.

June 10.—American showmen want fewer and better shorts, MOTION PICTURE DAILY survey shows.

Decline of double features increases short subject production for 1933-1934 by 50%.

June 12.—United Artists to double output for 1933-1934; plans 35 to 40.

June 13.—N. L. Nathanson, new president Famous Players Canadian, aims to reopen every dark house in the chain.

June 14.—Industry Control Bill passed by Congress to put "new deal" in effect. General Hugh S. Johnson to be named administrator.

M.P.T.O.A. completes first draft of proposed industry code.

Federal Court voids New Mexico law controlling film sales.

June 15.—Production and distribution codes to be drawn up in New York.

June 16.—Chatfeld circuit enters field by securing houses in Ohio and West Virginia.

June 17.—President Roosevelt signs Industrial Recovery Act.

June 19.—Recovery Act may reopen 4,000 houses throughout country.

June 20.—Battle looms on coast over agents' code.

New uniform exhibition contract may become part of distribution code.

June 21.—Codes would localize wide adjustment powers.

First draft of distribution and exhibition codes made public.

June 22.—Industry prepares to tackle production code. Hays leaves for coast.

E. R. Tinker quits Fox for post with Fox West Coast.

June 23.—Independents ask ban on producer-exhibitor affiliations in code. Agreement on codes looked for in a hurry.

June 24.—Paramount plans to release 60 to 65 during 1933-1934.

June 26.—Majors to concentrate on names instead of titles in 1933-1934 sales activities as annual conventions get under way.

June 27.—Paramount will release 65 during 1933-1934.

June 28.—Twentieth Century denies talent raids, revealing itself for open market.

June 29.—Announcements by major companies reveal musicals set for big comeback.

June 30.—Fox production to reach new high, with 54 announced for 1933-1934.

Policy of exclusive sales dropped by M.-G-M and United Artists after year's trial.

July

July 1.—Academy of M. P. Arts and Sciences asks code rule on talent loans.

July 3.—Skies clearing for Fox, Sidney Kent tells sales convention.

July 5.—Gross in keys $49,699,734 in 39 weeks ending June 23-24, MOTION PICTURE DAILY figures reveal.

July 6.—Exhibitor sentiment against dual billing increasing throughout country, *Motion Picture Herald* survey shows.

July 7.—Will Hays sounding out studios on code preparatory to general meeting on matter.

July 8.—Producers vote to go along with reorganization of Academy.

July 10.—Monogram to sell first run off Broadway.

Code must set up wage basis and minimum working time.

July 12.—Film unions may be included in government inquiry into racketeering.

Frank C. Walker, vice-president of Comerford Theatres, named executive secretary of the Recovery Council by President.

July 13.—Representatives of independent distributing organizations lay plans for agreements on working hours and basic wage scale.

July 14.—Paramount Publix partners assemble in New York to get status cleared.

July 15.—Thirty-six-hour week set by M. P.T.O.A. at meeting in Chicago.

July 17.—Text of new exhibition code released by M. P. T. O. A. Thirty cents per hour set as minimum, with lowest theatre wage $10.80 weekly.

July 18.—James R. Grainger goes to Universal as general sales manager, succeeding L. J. Schlaifer.

July 19.—George W. Trendle gets Publix in Detroit.

July 20.—J. R. McDonough named general manager of RKO.

July 21.—Fox financing plan expected to go through.

July 22.—Fox stockholders vote new financing plan calling for reduction of common stock to one-sixth of that outstanding and cut of corporation's capital to $2,104,633.

July 24.—New England lining up solid against dual ban. Frowns on proposal contained in M.P.T.O.A. code.

Stockholders complete Fox refinancing plan with approval of new issue to care for $38,000,000 debt.

July 25.—All I.A.T.S.E. unions order general tieup of studios.

July 26.—"White collar" workers to get 40-hour week in compliance with President's voluntary employer agreements.

Colvin W. Brown, vice-president and general manager of Quigley Publishing Co., named assistant to Frank C. Walker, executive secretary of Recovery Council.

Sol A. Rosenblatt, New York lawyer, named by General Hugh S. Johnson to hear all amusement codes.

Studio strike fails to hold up production.

July 27—Warners send up pay under blanket code.

July 28.—I.A.T.S.E. making national move to influence code, questioning 700 locals on hours and wages.

July 29.—Arbiters may be called in studio strike.

M. P. Laboratory Ass'n. sets 40-hour week and $15 wage minimum under blanket code.

July 31.—Academy of M. P. Arts and Sciences asks mediation in studio strike.

August

Aug. 1.—Strike no bar to studios as unions still hold out.

Aug. 2.—Warners ban sales to every code holdout, a plan aimed at theatres not pledging support to NIRA. Distribution code form is put into shape, ready for coordination with exhibitors.

(*Continued on page 9*)

Code Emerged as the Major Event

(*Continued from page* 8)

Aug. 3.—Sol A. Rosenblatt calls parley on code. Asks film leaders to meet in New York and calls for a single draft. M.P.T.O.A. to cooperate on code, says Ed Kuykendall.

Aug. 4.—Trade groups center moves on one code and take up choice of men to meet Rosenblatt. Laboratories' code ends film finance. M.P.T.O.A. and M.P.P.D.A. codes nearly set.

Aug. 5.—Independents, majors settle most of code; disagree only on dual billing opposition. Skouras joins Loew, Warner, Paramount and RKO in adopting NRA code for the circuit.

Aug. 7.—Single code for hearing is NRA plan; M.P.P.D.A. draft believed intended as basis.

Aug. 8.—NRA to seek end of West Coast strike; arbitration within scope of new labor board. Carl Laemmle says code must protect all. Independents outside code, states Abram F. Myers on eve of New York conference called by Rosenblatt. Look for 50 leaders at talk with Rosenblatt.

Aug. 9.—Code by next week is demanded by Rosenblatt; S. R. Kent, C. L. O'Reilly chosen to coordinate all present drafts. Square deal is pledged to all via code, Rosenblatt states at New York meet.

Aug. 10.—Conferees agree on 12 code terms.

Studio strike to go before Federal board.

Aug. 11.—Three code coordinating units speed agreements; open buying, clearance terms settled for exhibition. Code drafts reach joint conferences, headed by Kent and O'Reilly.

Aug. 12.—Production code ready today, states S. R. Kent; exhibitor and distributor groups hold joint session at Bar Ass'n. Bldg.

Aug. 14.—Complete codes by Tuesday night, goal set by S. R. Kent; few clauses to he left for Washington O. K. is prediction. Formal draft of production code is begun hy drafting committee.

Aug. 15.—Distribution-exhibition code coordination begun; former is finished while latter still has sections in dispute.

Irving Thalherg stays at M-G-M; to head his own unit on elastic schedule.

Aug. 16.—Completion of code not expected until Aug. 17 as coordination problems force conferees to night session.

Aug. 17.—Industry code by tonight is aim of Charles L. O'Reilly; theatre draft drawn; still coordinating.

Aug. 18.—Patience gone, code by tonight is ultimatum; unfinished business goes to Washington, coordinators say.

Aug. 19.—Deadline set back, up at noon; code "90" per cent agreed. "In principle" clauses adopted; week end for drafting text.

Aug. 21.—Code nears completion; at odds on big issues. Exhibition committee disbands; drafting continues over week-end; controversial points end at an impasse. Independents to fight dual bans in code.

Aug. 22.—NRA demands code draft by midnight; frame clauses at late session in New York to comply with Deputy Administrator Rosenblatt's order. Fight looms on anti-raid code proviso. Universal, Warners and Columbia understood opposed, while Paramount and M-G-M seen for it.

Aug. 23.—Code incomplete; goes to Rosenblatt this morning. Administrator to get two drafts joined hy one preamble. Writers form one code for NRA hearings.

RKO to keep "O": Orpheum revival seen.

Aug. 24.—Two codes go to NRA; coordination planned. Producers and distributors deliver one, theatres form one of their own. Sept. 12 set as public hearing date.

Laboratories' code is filed with NRA. Sets $15 as minimum salary and 40 hours maximum working hours.

Studio strike is ended by NRA Labor Board. Jurisdictional right between I.A.T.S.E. and I.B.E.W. left to A. F. of L.

Aug. 25.—Open market buys are major code aim. C. L. O'Reilly for it in the theatre code. Ed Kuykendall seeking unity for M.P.T.O.A.-Allied. This is purpose of meeting called by the M.P.T.O.A. president in Chicago Rosenhlatt may seek to merge codes as he starts studying clauses in both drafts. Distributors for right of selectivity as fight is expected over "right to buy" in exhibition code.

Chicago han on combines starts fight; Aaron Saperstein asks Federal probe.

Aug. 26.—Hearings on code in Washington may cover three or four days; big turnout expected on Sept. 12. Chicago meeting proves a phantom; there wasn't any. Allied and M.P.T.O.A. fail to meet on unity on code. Better times with a code, seen by Will H. Hays.

Aug. 28.—NRA holding key to issue on combines exhibitor buying.

Aug. 29.—Coordination of two code drafts under way by Sol. A. Rosenblatt.

Milton Feld and David Chatkin form Monarch Theatres.

Aug. 30.—Major circuits prepare to increase admission; RKO and Warners set.

Aug. 31.—Two new unions to buck Local 306; invasion on heels of operator local's absorption of Empire State union in N. Y.

September

Sept. 1.—Educational resumes production after three-months' shutdown, ending rumors studio would not reopen.

Sept. 2.—Final laboratories' code results in 15 per cent increase in employment and 12 per cent increase in wages.

Sept. 5.—M.P.T.O.A., I.T.O.A. and Allied States plan individual meetings in Washington Sept 10 to consider tentative code draft.

Sept. 6.—Independent exhibitors express fear they will not be properly represented in code hearings.

Hollywood labor strike nears end.

Sept. 7.—Nazis reported seeking theatres here as outlets for propaganda.

Sept. 8.—Paramount Publix paid bonuses of $2,250,000 to five ranking executives during 1929, Ralph A. Kohn, former treasurer, testifies at bankruptcy hearing.

Sept. 9.—Industry descends on Washington for public hearings on code, opening Sept. 12. Deputy Administrator Rosenblatt deluged with petitions for hearings.

Sept. 11.—Allied attempts last-minute organizing of independent exhibitors on code.

Sept. 12.—Hearings on code open in Washington with struggle for individual rights anticipated from inter-industry representatives. M.P.T.O.A. directors arrive at agreement on code draft. List of speakers for hearings reaches 208.

Dr. Julius Klein, former Assistant Secretary of Commerce in the Hoover cabinet, shapes plans for reorganization of Paramount Publix.

Sept. 13.—No "open shop" to prevail under code, first day of public hearings reveals. All groups have spokesmen championing their views. I.A.T.S.E. asks operator for every projection machine. Chorus Equity describes chorus girls' 86-hour weeks at $25 in presentation houses. Frank Gillmore, Actors' Equity president, calls Academy "company union."

Sept. 14.—Code labor committees adjourn for "closed door" discussions. M.P.T.O.A. outlines 12 major points sought in code. Allied stresses inclusion in code of "right to buy" clause. A. F. of L. approves double features. Independent exhibitor charges at hearings master sales contracts stifle independents. Code Authority membership up for discussion before Deputy Rosenblatt.

Paramount expected to retain large national circuit of 500 to 600 houses.

Sept. 15.—Industry accord on code predicted as public hearings end. Sidney R. Kent asks "safeguards" for large companies who will hear "brunt" of code cost. Deputy Rosenblatt in dark over definitions of "right to buy," asks details. Universal and Columbia take stand with independents in favor of double feature freedom.

Sept. 16.—Code labor negotiations strike snag as labor representatives remain adamant on demands; Deputy Rosenblatt seeks solution. Reports indicate 44-hour week for theatre labor. Southeastern exhibitors to seek lower wage scales than code standard. Kent predicts shortened hours will cost studios $2,700,000 to $3,000,000 annually.

Sept. 18.—Leaders adjourn code sessions unexpectedly to return to New York avowedly to obtain approval of directors and stockholders for concessions called for in code. MOTION PICTURE DAILY learns new, drastic instructions on code content from high Administration authority caused adjournment. Code expected to include standard license agreement.

Sept. 19.—Code will ban forcing film contracts by distributors through threats. Exhibition section of code making rapid advances. Deputy Rosenblatt confers at White House, but denies mission concerned film code. M.P.P.D.A. members reconvene.

Sept. 20.—MOTION PICTURE DAILY learns exclusively Administration's code plans for including measures to curb high salaries of both stars and executives caused Washington adjournment and came as complete surprise to industry leaders. Deputy Rosenblatt indicates parts of code may be made retroactive.

Sept. 21.—MOTION PICTURE DAILY learns exclusively major companies may ask government to guarantee costs in event independent factions' demands are met. MOTION PICTURE DAILY exclusively reveals reports White House is directly interested in new provisions for inclusion in code.

Sept. 22.—Precedent for government safeguard against overburdening industry with code costs viewed as having been established in oil industry and retail codes. Industry leaders begin return to Washington.

Sept. 23.—Code confabs resume in Washington with right to buy, double featuring, block booking and score charges scheduled for immediate discussion.

Sime Silverman, publisher of *Variety*, dies at Los Angeles.

Sept. 25.—MOTION PICTURE DAILY reveals scope of powers for local boards under industry code. Washington confabs in high gear with double featuring, a major issue, designed to remain as is.

Sept. 26.—Deputy Rosenblatt seen prepared to complete writing of code himself as second conferences near close. Distributors favor complete power for local clearance and zoning boards. Theatres ask for 44-hour week for operators. Exhibitors claim increased labor costs will aggregate $9,000,000 annually and puzzle over where money is coming from. "Right to buy" arguments get tangled.

Sept. 27.—Reports current in Washington that Deputy Rosenblatt may insist on right to buy and salary cut provisions in code, unverified. Overseating may be regulated under code, report. Spokesmen for Academy ask guarantee in code on open market bidding for stars' services. Exhibition, labor leaders get "hot" in code labor discussions.

Sept. 28.—First completed code draft to be ready Oct. 2, Washington hears. New independent exhibitor organization sought by Washington conferees regarded as "dead."

Salary cuts of Paramount executives during 1932 revealed by Ralph A. Kohn.

Sept. 29.—Deputy Rosenblatt denies code contemplates star salary cut provisions; describes reports as "ridiculous."

Sept. 30.—Distributors take stand "right to sell" to whom they please is theirs, answering "right to buy" arguments.

October

Oct. 2—Code talks delay new contract form. Revision considered certain.

Oct. 3.—Production in the east zooming to a new high, MOTION PICTURE DAILY survey indicates. Revival move marked by greatest effort in four years.

Oct. 4.—Cutting down of "nuisance" taxes planned at next session of Congress.

Code reported complete and Code Authority set. Code attempts likened to delay in drawing up oil industry compact.

NRA rejects supply code.

Oct 5.—Right to buy, scores, duals out of code. No reference to big points, including block booking, stuns exhibitors. Code Authority vested with unlimited powers. Commission to fix star salaries expected.

Oct. 6.—Split develops in code parley, with independents opposing majors.

Oct. 7.—Balance of power shifted on zone board membership.

Oct. 9.—White House reported insisting on $2,000-a-week maximum salary.

Oct. 10.—Salary-fixing believed shunted into siding as legal snags loom. Prediction made actors will stage walkout if any effort is made to set limits earning power.

Fight on Paramount receivership ends.

Oct. 11.—Salary-fixing idea dropped from code, declared to be "85 per cent O.K." Agents restricted. Allied's anti-code fight by wire irks Rosenblatt.

Oct. 12.—Harold B. Franklin quits as RKO theatre head.

Oct. 13.—Split within Hays ranks on three code issues: duals, shorts tie-in, salary control, averted when argument is sidetracked. Salary control threat worrying majors. Coast talent bitter over Clauses 9 and 10 in code. Talk heard of "passive resistance" to obtain desired ends. Code Authority reduced to 10 film men and three government.

Oct. 14.—Penalties up to $10,000 are proposed to check payment of huge salaries. Administrator Johnson hits high salaries, calling them "grotesque." Talk of talent strike discounted by Academy as "extreme."

Paramount Detroit houses go to George Trendle as a manager.

Oct. 16.—No legal bar to fines for producers is seen by Rosenblatt. Fear supercombination, independents reveal in code analysis, claiming abuses are not corrected.

Oct. 17.—Pending code points prove troublesome, with many changes coming, according to Rosenblatt.

Oct. 18.—Code on last stretch, with third draft looking like final one. Agency control shifted and many points clarified.

Oct. 19.—J. R. McDonough named to posts in RKO subsidiaries left open by H. B. Franklin's resignation.

Oct. 20.—Code delayed for more conferences with dissatisfied independents.

Oct. 21.—Plans for reorganizing Paramount coming soon.

Oct. 23.—J. R. McDonough's powers at RKO increased, with major film problems now going to him.

Oct. 24.—Charge made to government that wired protests to code were faked. Justice department studying.

Oct. 25.—Consumers' Advisory Board passes code. Rosenblatt set to submit pact to government. Independents decide at Allied meeting in Chicago to take code dispute to President.

Sale of Loew stock set for Nov. 27. Stock comprises 600,900 shares of former Fox holdings in company.

Oct. 26.—President's pen reported poised over code.

Oct. 27.—Hundred per cent budget boost approved by Monogram franchise holders.

Oct. 28.—Code signing again delayed. Proposal to levy fines on producers paying big salaries may go. General Johnson gets code for study.

Adolph Zukor testifies at creditors' meeting, revealing friction in Paramount.

Major L. N. Thompson placed in charge of RKO theatres. N. J. Blumberg named general manager.

Oct. 30.—Code benefits to be applied on contracts. Cancellation not to he withheld.

Oct. 31.—Rosenblatt hits "selfish theatre men" at meeting of Southern Theatre Owners' Ass'n in Atlanta. Academy appeals for "fair" trial for code.

November

Nov. 1.—Hugh S. Johnson in session with Allied on code objections. Deputy Administrator Rosenblatt attacks "agitators and false prophets" in Atlanta.

Nov. 2.—Code delay likely as Hugh S. Johnson turns it over to Col. W. Robert Lea prior to departure for west.

Figure $5,000,000 cut in RKO loss, Irving Trust, as receiver, reports to court for eight months ending Aug. 31.

Nov. 3.—Publicity believed Federal salary weapon; Trade Commission data may be turned over to stockholders.

Hays association signs code, but Ass'n of M. P. Producers in Hollywood holds back because of objections on Article V.

Nov. 4.—White House awaits code today. Independents expected to accept code as unaffiliated factions appear reconciled to present form.

Nov. 6.—Code details to White House early this week; salary penalty clause vexatious. Administrator Johnson clears Deputy Rosenblatt of charges against his handling of the code. Right to buy is in the code, states Charles L. O'Reilly, who so interprets Part 2, Section 5, dealing with grievance hoards.

Loew-Poli deal thought near agreement as court approval awaits three-year management deal.

Nov. 8.—Further halt in code as Col. Lea seeks data; lacks conviction over "certain clauses."

Nov. 9.—Code may go to President on vacation at Warm Springs.

Academy's future weighed as Lester Cowan and Major Nathan Levinson resign.

Nov. 10.—Code shelved until Administrator Johnson returns from western trip.

Allied fight on code seen breaking up as some units appear reconciled.

(*Continued on page* 12)



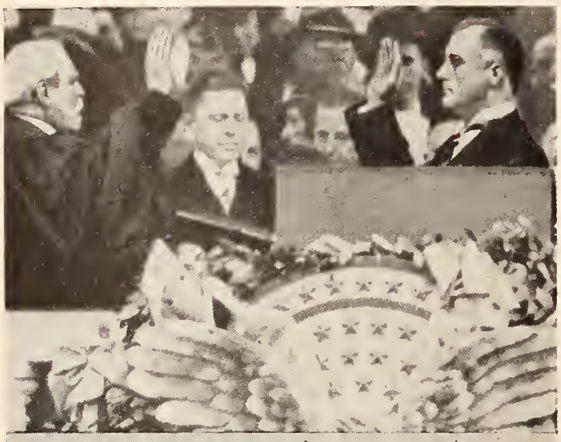
JAN. 6 — Paramount and exhibitors celebrate New Year with record-breaking business on "Farewell-to-Arms".



JAN. 25 — Baby Le Roy signs contract with Paramount.



FEB. 10 — Marx Brothers challenge Eli Culbertson to bridge tournament. "Sign of the Cross" reported to be breaking records throughout country.



MARCH 4 — Roosevelt inaugurated. Paramount Newsreel scores clean beat on pictures showing inauguration.



MARCH 9 — MAE WEST in "She Done Him Wrong" sets all time record run on Broadway at Paramount Theatre.



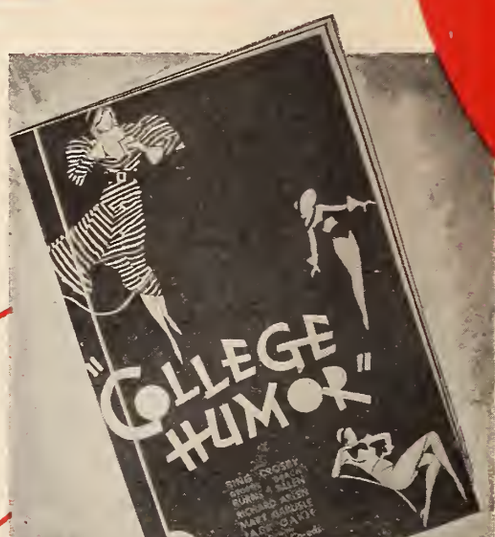
MARCH 23 — Design for Living, Noel Coward's sensational Broadway hit purchased by Paramount.



APRIL 7 — Paramount world-wide "Search for Beauty" contest starts in 8 English-speaking countries. Search for thirty perfect young men and women to be given opportunity in Hollywood.



MAY 17 — Bing Crosby signs new contract with Paramount.



JUNE 16 — Paramount's "College Humor" sets new highs in summer attendance in houses all over the country.

MOTION PICTURE HIGH LIGHTS OF 1933



JULY 19 — "Song of Songs" opens at Criterion Theatre, New York, inaugurating new entertainment season.



AUG. 21—Lanny Ross, radia star af Maxwell Hause Haur, signs cantract with Paramaunt.



SEPT. 6 — Ethel Merman, stage and radio star, signs contract to appear with Bing Crosby in a Paramount musical picture, "We're Not Dressing".



OCT. 6 — Paramount purchases big musical success, Earl Carroll's "Murder at the Vanities".



OCT. 12—Mae West smashes house records all over the country in "I'm No Angel".



NOV. 28—Claudette Colbert signs new contract with Paramount. Immediately cast for "Cleopatra" by Cecil B. DeMille.



DEC. 29 — National release date "Design for Living". Women of country get new ideas on love.

1933 was a PARAMOUNT YEAR, *of course*

It's the best show in town

Paramount Pictures

Headlines Spotlight Highlights

(*Continued from page 9*)

Nov. 11.—Code again delayed by cut in wage classification; Johnson order restricting their number to four revealed as stumbling block.

Harley L. Clarke discusses stock deals of General Theatres Equipment before Senate investigating committee.

Nov. 13.—Warners report net loss for year of $6,291,748, representing reduction of 55 per cent from preceding year's loss of $14,095,054.

Nov. 14.—Probibition repeal will create new jobs and increase purchasing power of nation, say industry observers who believe theatre business will be aided thereby. Others hold no noticeable effects will result.

Nov. 15.—Motion Picture Daily learns code provisions covering secret talent negotiations may be suspended.

Nov. 16.—Hitlerite censorship results in disappearance from American newsreels of German clips.

Nov. 17.—M.P.T.O.A. code analysis sees all but three of organization's 37 original proposals included in final draft.

Emil E. Shauer, vice president of Paramount International, dies suddenly.

Harley L. Clarke, former head of General Theatres Equipment, tells Senate stock investigation committee, of $38,285,000 "mark up" of stock of theatre equipment companies acquired by G. T. E. in 1929.

Nov. 18.—Administrator Johnson is "not satisfied yet" with code but offers no reasons.

Nov. 20.—Joseph M. Schenck describes code as "only temporary."

Nov. 21.—Report I.A.T.S.E. putting curb on local unions. Move said to be backed by A. F. of L. to end theatre violence.

President to receive code next Friday.

Nov. 22.—Administrator Johnson announces code is now in form he wants.

U. S. Senate investigating committee delves into affairs of Fox Film.

Nov. 23.—Deputy NRA Administrator says at Milwaukee code is creating 25,000 new jobs.

Nov. 24.—William Fox, testifying before Senate committee, says he appealed to President Hoover and Louis B. Mayer to help him retain control of his company.

Income tax refund of $7,276,394 to Paramount announced in Washington.

Nov. 25.—Labor's help looked for by Kuykendall, who predicts union peace as result of code. Col. W. Robert Lea chosen to head new Code Authority committee.

William Fox, testifying before the Senate investigating committee, charges $15,000,000 "disappeared."

Nov. 27.—Signing of code by President expected momentarily as Administrator Johnson remains at Warm Springs.

Nov. 28.—President Roosevelt signs code; names Marie Dressler, Eddie Cantor and Dr. A. Lawrence Lowell to Code Authority as government appointees. Other members of code authority not made public. President's Executive Order accompanying code exempts writers and dramatists from salary provisions for 90-day period, during which operation of code is being observed. President asks full report on excessive salaries and unfair trade practices within 90 days.

John D. Hertz, former chairman of Paramount Publix finance committee, contends he saved company $23,000,000 in operating costs by economies in his regime, as bankruptcy testimony continues before Federal referee.

Harley L. Clarke testifies at Washington G. T. E. paid dividend of $4,000,000 at time when company had deficit of $5,500,000.

Nov. 29.—Motion Picture Daily obtains exclusive official announcement of Code Authority membership from Administrator Johnson at Atlanta, Ga. Board consists of H. M. Warner, Nicholas M. Schenck, Sidney R. Kent, George J. Schaefer, Merlin H. Aylesworth, R. H. Cochrane, W. Ray Johnston, Ed Kuykendall, Charles L. O'Reilly and Nathan Yamins, in addition to Presidential appointees named earlier. Two additional government representatives yet to be named. Code becomes effective Dec. 7.

December

Dec. 1.—Final code made public at Washington shows only insignificant changes made in third draft. Motion Picture Daily points out exclusively drastic significance of President's Executive Order accompanying code, revealing "it trims the powers of the code authority" to extent sufficient to transfer from it to the Administrator title of "supreme court of the industry." Suspension by Order of talent "raid" provisions (Article 5) seen influenced by visits of Joseph M. Schenck and Eddie Cantor to Warm Springs. Suspension of penalty for payment of excessive salaries believed resulting from Attorney General's opinion holding provision unenforceable. Motion Picture Daily points out Marie Dressler and Eddie Cantor will vote only when Code Authority takes up talent problems, and that Dr. Lowell, as government representative, will have no vote.

Dec. 2.—First meeting of Code Autbority expected at early date to organize and name 32 local boards.

Dec. 4.—Ten per cent cancellation privilege offered under code to apply on old contracts. Existing clearance and zoning schedules for 1933-34 product not to be affected by local boards set up under code.

Dec. 5.—Industry leaders voice objection to Executive Order at M.P.P.D.A. meeting. Code Authority may hold first meeting in New York in next few days.

Twelve creditor banks had exclusive claim to $6,000,000 uncompleted negatives of Paramount Publix, John Hertz testifies.

Dec. 6.—Industry self-control imperilled under code, asserts Martin Quigley. M.P.P.D.A. move to protest code fails to stir NRA officials.

Dec. 7.—Code becomes law at 12:01 A.M. Last-minute attempt of producers to win delay meets with failure. Leaders plan to see President.

Dec. 8.—Industry leaders discuss code at White House today; to tell President of objections to Executive Order. Deputy Administrator Sol A. Rosenblatt denounces criticism of code before it has been given a trial at meeting of Philadelphia exhibitors.

Dec. 9.—Executive Order expected to stand pending trial following conference between industry leaders and President.

Famous Theatres Corp. makes bid of $1,800,000 for Publix Enterprises.

Dec. 11.—Self-regulation of industry assured. Industry leaders announce acceptance of code after White House conference. Executive Order stands with interpretations.

Dec. 12.—Warners retain control of Warner Brothers witb re-election of all directors at annual election at Wilmington.

Dec. 13.—Rosenblatt's job of naming personnel of code boards begins. Code Authority holds initial meeting in New York Dec. 20.

Dec. 14.—Names sought to help choice of personnel of code boards. Woman may be third government member of Code Authority.

Dec. 15.—Federal film cartel viewed as possibility.

Dec. 16.—Loew's stock sale held up by U. S. District Court as government moves to get anti-trust angles.

Dec. 18.—Wages puzzle to non-union theatre code, employes being hazy about "prevailing" scales under pact. Third and final government representative on Code Authority to be definitely a woman.

Dec. 19.—Dr. A. Lawrence Lowell reported planning to resign Code Authority post. Rotating head sought for Code Authority. Leaders favor plan as against permanent chairman.

Court allows sale of Loew's stock.

Dec. 20.—Will post names of personnel and invite criticism of code boards. Rosenblatt made head of new NRA division to deal with amusement codes.

Film delivery men form national organization as National Film Carriers, Inc.

Loew's stock acquired hy noteholders.

Dec. 21.—Code boards expected to start working soon. Nominations hy Jan. 4.

Winfield Sheehan again in command of Fox studio.

Dec. 22.—Code groups get husy next week. Six committees to make plans ready before Jan. 4. Dr. A. Lawrence Lowell quits Code Authority; may reconsider.

Court approves sale of 214 Puhlix Enterprises houses to Famous Theatres Corp.

Dec. 23.—Dr. A. Lawrence Lowell announces he resigned from Code Authority because post carried no power and hecause he was opposed to hlock hooking.

Dec. 26.—Dry agitators, out of jobs, gunning for films.

Harold Lloyd to release via Fox.

Dec. 27.—New Film advertising copy drawing praise for its cleaner tone. Code compliance up to Rosenblatt at the start.

Dec. 28.—Hollywood to get office under Code Authority. John C. Flinn gets secretaryship with office in New York.

Music Hall, New York, ends first year with $3,970,706 gross.

Dec. 29—RKO Center, formerly the Radio City Roxy, completes first year with total gross of $1,084,959.

More theatre unions seen impending.

Dec. 30—Administrator Johnson hits men who sit on "sideline" in answer to A. Lawrence Lowell's stand on Code Authority.

Harry Thomas made head of F.M.P.I. as successor to P. S. Harrison.

Reading Votes for Open Sunday Again

Reading, Mass., Jan. 1.—Once more Reading has voted for Sunday shows. At the second special town meeting called to vote on a referendum, the vote for Sunday pictures was: Yes, 506; no, 404, thus increasing the former margin of some 43 votes to 192. Only 20 per cent of the town's vote was cast, due to stormy weather.

The first special election voted to permit Sunday pictures. The second voted to ratify the action of the first. Selectmen say the permit will now be granted. The fee has not been set.

Horowitz Back on Job

Sam Horowitz, mid-west district manager for U. A. with headquarters in Kansas City, left yesterday for home after announcing his engagement to Sadie Feuerstein, Al Lichtman's secretary. The wedding will take place late this month and the couple will live in K. C.

Monogram Seeks Player

Hollywood, Jan. 1.—Monogram is looking for a new find for the leading role in "Jane Eyre." The plan is to get an actress with stock experience and the New York office is now searching the field.

◀ *Purely Personal* ▶

Anna Sylvia Curran, daughter of John Curran, press agent, started her vacation from Trinity College by walking into the Ford show and receiving an expensive radio at the gate. She was the 1,750,000th person to enter.

Travis Banton, Paramount studio stylist, arrived in New York from Hollywood New Year's Day for a three weeks' stay before leaving for Palm Beach where he will complete his vacation.

Saul E. Rogers returns today from a holiday vacation trip which was scheduled to include some game hunting in the north.

Leo Singer, producer of "White Horse Inn," has been confined to his hotel for the last eight days with an attack of lumbago.

Charles D. Hilles, Paramount Publix trustee in bankruptcy, is recuperating at Doctors' Hospital from a recent illness.

Ben H. Atwell, Columbia executive, accompanied by his wife, has left on a brief vacation in the Bahamas.

Henri Brunet plans to sail for Europe early this month to survey the foreign field for Columbia.

Monckton Hoffe, English author under contract to M-G-M, is at the Warwick.

Erik Charell, new Fox producer, is due in on the *Ile de France* tomorrow.

Leslie Howard has left New York for Hollywood to begin work on "Of Human Bondage" at the Radio studio.

Joseph Seidelman, foreign general sales manager for Columbia, has returned from a trip to Mexico.

Mr. and Mrs. Lionel Atwill are at the Ritz-Carlton from Hollywood.

Al Lichtman is back at his desk again, fully recovered from a bad cold.

Elliott McManus has a new opera hat for some reason or other.

Ad Schulberg returns to the coast Thursday after six weeks here.

Sees Program Rush As Knell of Type

(*Continued from page 1*)

the program picture and the attraction will become so apparent as to render the former commercially unimportant.

"The attraction, according to my definition, is the well considered balance of an interesting personality or personalities skillfully interpreting important roles in a picture with a story that possesses sincerity in entertainment, plus a certain showmanship."

Boston Reformer Quits

Boston, Jan. 1.—John C. L. Dowling, president of the Watch and Ward Society, whose activities resulted in the temporary suspension of the license of the Howard last summer, has quit his job. Rev. Charles S. Bodwell, executive secretary, denied there had been friction between Dowling and himself. Dowling was a former head of the Boston Finance Commission.

Photographer Honored

Hollywood, Jan. 1.—Ernest B. Bachrach, head of the still department at Radio, has been awarded a diploma for "achievement of exceptional graphic studies" by the artists and fellows of the Royal Photographic Society, based on exhibits on display at the Century of Progress, Chicago.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 35. NO. 2 NEW YORK, WEDNESDAY, JANUARY 3, 1934 TEN CENTS

Upswing Has Begun, Says Abe Montague

Circumstances Justify Hope, He States

By ABE MONTAGUE
General Sales Manager, Columbia

I look forward to the new year for a gratifying answer to the business hopes and aspirations of the industry. Many circumstances and conditions combine to justify this.



The industry has gone through a severe test. For a long time it was sinking from week to week and month to month with apparently no bottom in sight.

(Continued on page 4)

State High Rental Closed the Embassy

The Embassy Newsreel theatre in Times Square was closed yesterday as a result of inability of Movietonews, Inc., to obtain reduction of rental on expiration of the old lease. Operators of the house stated yesterday the Embassy's rental was the highest per seat of any theatre in the country.

The Embassy was opened by the

(Continued on page 4)

Authority Problems Before Committees

Code Authority committees on financing, clearance and zoning and grievance boards met last night at the

(Continued on page 8)

It Won't Work

One New York circuit operator yesterday made a last minute effort to nab appointment on either the clearance and zoning or grievance board. He had all managers in his houses wire the committee suggesting his name.

But the committee knows the origin of the wires.

Christmas Puts Theatre Grosses Back on the Map

Christmas put the theatre business back on the map in 17 key centers last week. In Boston and Philadelphia the increase was remarkable, and in Minneapolis, St. Paul, Oklahoma City, Pittsburgh, Portland, Kansas City and Buffalo it was big enough to stir up optimism.

Chicago, San Francisco, Seattle, Cleveland, Omaha and Indianapolis failed to show indications of returning life.

In Boston business was outstanding in every first run. The total take was $120,000. Average is $95,000. "Son of Kong" hit $22,000 at the Boston, with Ben Bernie on the stage. A dual of "Alice in Wonderland" and "Son of a Sailor" at the Fenway had a big $11,500. The same combination at the Paramount took $12,000. Other big takes were: "Counsellor At Law," $21,000 at Keith's; "Going Hollywood," $20,500 at Loew's State; "House on 56th St.," $35,000 at the Metropolitan.

New York's grosses were not outstanding. "Roman Scandals" was one of the bright spots with $48,000 at the Rivoli. "Mr. Skitch" reached $28,500 at the Roxy. Others were: Holly-

(Continued on page 4)

Smile Time

Disappointed generally in Saturday grosses, theatre business on Sunday and Monday was heavy all over the country, national circuit operators reported yesterday.

Protection of Little Fellow Aim of NIRA

WASHINGTON, Jan. 2—"This code is not designed to promote monopolies or to eliminate or oppress small enterprises and shall not be applied to discriminate against them nor permit monopolies or monopolistic practices," routine phrase in all codes enacted under the NRA, appears to be on the road to something beyond merely a phrase under plans, discussed here, to make a change in the NIRA which would more directly establish safeguards for small business against any encroachment of monopolies. The effects of this program obviously would

(Continued on page 8)

Film Stocks Gain as New Year Begins

Amusement securities turned the corner in 1933 as widespread reports of business improvement made the outlook for the industry brighter than it has been in four years.

The list of film stocks on the New York Stock Exchange showed net gains for the year ranging from one to more than 26 points. Activity in some shares was about on a par with 1932, while in others it was sharply increased.

The year's lows generally were touched in the early spring when the nation was recovering from the sus-

(Continued on page 6)

Western Theatres Join To Prevent Competition

DENVER, Jan. 2.—Organized for the purpose of protecting territory of its members against invasion by either circuits or individuals, Gibraltar Enterprises, Inc., has filed incorporation papers here. According to Charles R. Gilmour, president, if anyone enters any of the cities where the company has theatres, the company will at once build or remodel buildings that will give the newcomer stiff competition. The sum of $250,000 has been deposited in a bank for this purpose. The first new theatre to be built by the group will be started shortly after the first of the year at Silver City, N. M.

The corporation is composed of six well known theatre men of the Denver territory and a former Denver exchange manager. Thirteen theatres are included with a seating capacity

(Continued on page 8)

Major Heads Silent About Salary Return

U. A. Is Only Company To Act Definitely

Executives of major companies in the main were non-committal yesterday in replies to queries whether or not they planned restoration of salary cuts in whole or in part.

S. R. Kent, speaking for Fox, declared he had not been back in New York long enough to set up his first quarterly budget, admitted he had been thinking of the idea but said it all depended on the course of business in the next few weeks.

A spokesman for RKO said that while the subject had not been discussed yet, it was not at all unlikely that it might be in the near future.

George J. Schaefer, speaking for Paramount, declared there had been

(Continued on page 8)

Coast Production Falls; 31 in Work

HOLLYWOOD, Jan. 2.—Production for the week ending Dec. 30 continued on the downward grade with but 31 features in work as compared to 32 for the preceding week and six short subjects as compared to nine for the previous period.

Twenty-two features and nine shorts

(Continued on page 2)

Report Goldman Set On Phila. Circuit

PHILADELPHIA, Jan. 2.—William ("Billy") Goldman, former zone manager for Warners here, is reported set to enter exhibition on his own with a local circuit of approximately a dozen houses as a nucleus.

Expect President's Message to Be Brief

WASHINGTON, Jan. 2.—Planning to address Congress personally tomorrow at the opening of the Congress session,

(Continued on page 8)

Title Shift

Hollywood, Jan. 2—One of those far North pictures, made near the pole, is no longer being referred to by its given title, but as "Frozen Asset."

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Erpi Service Rates Slashed in England

LONDON, Jan. 2.—Effective yesterday, Erpi reduced its weekly service charges throughout England by approximately $1.30. The reduced rates bring the former highest service charge of $24.52 per week down to $23.22, and the lowest rate, $10.31, down to $9.06.

Charles Bunn, Erpi sales manager here, could not be reached yesterday for a statement as to whether or not the company contemplated a service charge reduction at home. Another authoritative source at Erpi, however, stated none was under consideration.

MOTION PICTURE ALMANAC
1934-35
NOW IN PREPARATION
WHERE THE WORLD LOOKS FOR MOTION PICTURE facts
PRICE $5


LeRoy-Warner Wedding Takes Place at Waldorf

Mervin LeRoy and Doris Warner were married last night at the Waldorf in the presence of approximately 200 guests, including a party from the coast headed by Jack L. Warner, the bride's uncle. The ceremony was performed by Rabbi S. A. Fineberg of the Sinai Temple, Mt. Vernon.

Tomorrow the couple leave New York aboard the *Empress of Britain* on a world cruise. They will make their home in Hollywood.

The guests included:

Irving Asher, Ralph Adler, Mr. and Mrs. Jules Brulatour, Mr. and Mrs. Joseph Bernhard, Mr. and Mrs. Paul Burger, Hope Burger, Mr. and Mrs. Harold Bareford, Herbert Copelan, Mr. and Mrs. Harry L. Charnas, Milton Charnas, Mr. and Mrs. Eddie Cantor, Louis D'Arclay, Chester Erskine, Mr. and Mrs. S. Charles Einfeld, Rabbi and Mrs. Solomon A. Fineberg, Herbert Frank, Mrs. Sam Feld, Mrs. Leo Forbstein, Mr. and Mrs. Stanleigh Friedman, Mr. and Mrs. Leon Greenbaum, Mr. and Mrs. Arnold Goldstein, Mrs. Kate Goldman, Mr. and Mrs. Harry M. Goetz, Mr. Robert Goldstein, Mr. and Mrs. Sidney Goldstein, Leonard Goldstein, Mr. and Mrs. Jack Goetz, Walter Goetz, Edna Goetz, Lou Golder, Gwen Heller, Mr. and Mrs. Lou Halper, Irene Heller, Mr. and Mrs. Halberstadt, Mr. and Mrs. Will H. Hays, Mr. and Mrs. James H. Holahan, Mr. and Mrs. Herb Harris, Mr. and Mrs. Larry Hyman, Mr. and Mrs. Isidore J. Hoffman, Mr. and Mrs. A. Jacobs, Lester and Lou Krieger, Celia Krieger, Morris Levison, Mr. and Mrs. Ralph Levy, Mr. and Mrs. Isidore Levy, Mr. and Mrs. Alexander Levy, Mr. and Mrs. Moe Levy, Mr. and Mrs. Meyer Lesser, Mr. and Mrs. Louis Laskin, Mr. and Mrs. Al Lichtman, Mack Levy, Mr. and Mrs. Edwin Morris, Al Manheimer, Mr. and Mrs. Paul Muni, Dr. and Mrs. Waldo Mork, Mr. and Mrs. Edgar Moses, Mr. and Mrs. Lou Metzger, Albert Manheimer, Courtland Mark, Max Milder, Mr. and Mrs. Sam E. Morris, Mrs. Elsa Mark, Mr. and Mrs. Max Michel, Mr. and Mrs. Robert Nisenson, Fritzi Nisenson, Ruth Nathan, Mr. and Mrs. George O'Brien, Mr. and Mrs. Jack Pearl, Mr. and Mrs. Dave Robbins, Mrs. Sadie Rosenthal, Joseph Rosenthal, Mr. and Mrs. Arthur Rapf, Mr. and Mrs. Moe Rosenberg, Mr. and Mrs. Henry A. Rutkin, Mr. and Mrs. Bernard Rosenberg, Ruth Rosenthal, Mr. and Mrs. Harold Rodner, Mr. and Mrs. Arthur Siegel, Mr. and Mrs. Leon Schlesinger, Mrs. Ad Schulberg, Mr. and Mrs. Ed Sullivan, Mr. and Mrs. Arthur Stebbins, Mr. and Mrs. Sam Schneider, Louis Shurr, Buddy Schulberg, Carl Siegel, Mr. and Mrs. Herman Starr, Mr. and Mrs. Sam Sax, Mr. and Mrs. Moe Silver, Mr. and Mrs. Herman Schwartz, Mr. and Mrs. Gradwell Sears, Mr. and Mrs. A. W. Smith, Jr.; Philip Simon, Mr. and Mrs. Perce Teeple, Lucy, Ethel and Abel Cary Thomas, Mr. and Mrs. Samuel Ungerleider, Dr. and Mrs. Jonas J. Unger, Betty Warner, Mr. and Mrs. Harry Warner, Major and Mrs. Albert Warner, Mrs. Benjamin Wolf, Shirley Warner, Jack L. Warner, Mr. and Mrs. Morris Wolf, Ann Weiss, Elaine Whitelaw, Ruth Wilk, Mr. and Mrs. Lloyd Weil, Mr. and Mrs. Jacob Wilk, Minna Wallis, and Mr. and Mrs. Adolph Zukor.

Studios Hurt Little By Heavy Coast Rain

HOLLYWOOD, Jan. 2—Studios came through the unprecedented week-end downpour with no serious damage. Some exterior sets are being quickly repaired. Yesterday the northern section of the city, involving Warners and Universal, was without telephone service.

Joel McCrea and Frances Dee were marooned on their ranch at Chatsworth.

Will Rogers got up at 4 o'clock in the morning to warn motorists of a bridge washout near his ranch.

Victor McLaglen was reported missing from his estate at LaCrescenta.

Frank Geraghty, assistant production manager at Columbia, was drowned when his car was swept away.

Coast Production Falls; 31 in Work

(*Continued from page 1*)

are in final stages of preparation. The cutting rooms continue to be taxed to capacity with 53 features and 24 shorts in the editing stages.

M-G-M continues to head the list with an unusual number of features in work, reporting eight, with two preparing and 10 cutting. Warners come next with six, zero and five. Fox is third with four, three and seven; Paramount, four, four and five; Radio, three, zero and six; Columbia, one, three and six; Century, one, zero and four, while Universal reports zero, one and two with United Artists zero on the three classifications.

Independent producers in the feature group show four working, seven preparing and eight cutting.

Among the producers of shorts M-G-M shows one working, one preparing and two shooting; Roach, zero, two and four; Universal, one, zero and two; Columbia, zero, two and three; Radio, zero, one and six.

Paramount will hit a production peak this month with 13 features. Films starting this month are: "Melody in Spring;" "We're Not Dressing;" "The Trumpet Blows;" "It Ain't No Sin;" "Murder at the Vanities;" "Honor Bright;" "Come on Marines," and "The Man Who Broke His Heart."

Scheduled for production in February are "Double Door;" "Often a Bridegroom;" "Thirty-Day Princess" and "Little Miss Marker."

Columbia will start four this month, they are: "Sonata," "Twentieth Century," "The Love Child," and the Russian story on which Laurence Stallings and Lewis Milestone have spent eight months. The working title has been set as "Red Square."

12 Indicted in Failure

The Brooklyn Grand Jury yesterday handed up 12 indictments growing out of the investigation of New York Investors, Inc., and its subsidiaries, including the bankrupt Realty Associates, Inc. Among the charges are misuse of the mails and concealment of assets.

Among those named are Frank Fox, president of Realty Associates, Inc.; Frank Bailey, one of the founders of Realty Associates, Inc.; William M. Greve, president of New York Investors, Inc.; Francis T. Pender, president of Allied Owners, Inc.; William H. Wheelock, president of the Prudence Company, Inc.; James Fisher, James Graham, Gordon S. Braislin, Harry D. Burchall, Eugene Moses, Henry Parker and Otto Eimer, directors of the various affiliates of New York Investors.

John F. Bruce Dead

CLEVELAND, Jan. 2.—John Forester Bruce, former film salesman, is dead.

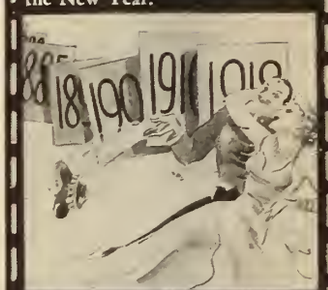
Financial on Page 6

Yesterday's stock market quotations appear on page 6 today.

Spot News from Columbia



All the wise men of Hollywood are agog over BORZAGE'S latest masterpiece for Columbia, based on the world famous novel by Ferenc Molnar. They have tabbed this as one of the top-notchers of the New Year.



Yesterday's headlines brought to vivid life by modern casts of today. "MARCH OF THE YEARS" is short—but big enough to "make" any show.



"LET'S FALL IN LOVE," Columbia's new entertainment code for movie fans brought to life with song and love by Edmund Lowe, Ann Sothern, Miriam Jordan and Gregory Ratoff.



When over ten million newspaper readers daily go wild over Ripley's "MINUTE MYSTERIES" there are sixty million waiting to follow suit. Here's their opportunity and yours—in these thrilling short reel mysteryettes.

LILIAN HARVEY, dream of beauty miracle of dancing grace, in a romance as tenderly appealing as "7th Heaven." Spiced with sparkling spectacle, cuddlesome cuties, blazing splendor, striking effects, unique surprise and laughter in the Piccoli Marionettes. Brightened with gay, bewitching melodies. Everything for everybody








A Jesse L. Lasky Production

I AM SUZANNE!

Lilian Harvey

Gene Raymond

Leslie Banks

Story and screen play by
Edwin Justus Mayer and Rowland V. Lee

Podrecca's Piccoli Marionettes
Directed by Rowland V. Lee

Your patrons always like
FOX MOVIETONE NEWS

FOX

Xmas Places Film Grosses Back on Map

(Continued from page 1)

wood—"House on 56th St.," $8,973; Mayfair—"Criminal at Large," second week, four days, $6,100; Rialto—"Chance at Heaven," $8,500; Strand—"Convention City," $14,231.

Two single bill houses in Providence, Loew's State and Fay's, gave three of the four dual spots a run for their money last week. Loew's State, with "Going Hollywood" and a vaudeville show topped its average by $2,000 on a $14,000 gross, and "Smoky" and an animal circus at Fay's was even at $7,000. The Paramount, with "Alice in Wonderland" and "The Thundering Herd" was $1,000 up at $7,500.

"Alice" First in Buffalo

Near-zero weather and icy streets bumped the pre-Christmas takings in Buffalo, but "Alice in Wonderland" came out on top at the Century with $7,500. "Counsellor At Law," helped by a vaudeville show, was the big draw of the week with $15,200 at the Lafayette, and "Disraeli" was well over par with $1,000 at the Hollywood. "Sitting Pretty," "The Prize-fighter and the Lady" and "Son of a Sailor" were all weak.

Cleveland had a tough seven days. "Alice in Wonderland" and "Lady Killer" were the only attractions in town to make average. The former took $4,000 at Loew's Stillman and the latter $5,000 at Warners' Hippodrome. The four weak links were: "Broadway Thru a Keyhole" at the Allen, "Jimmy and Sally" at Warners' Lake, "Mr. Skitch" at the RKO Palace and "Going Hollywood" at Loew's State.

Seattle showed improvement over recent weeks. "Little Women" was still a local sensation with a $4,500 take at the Blue Mouse in its fourth week. "Alice in Wonderland" reached a par $7,000 at the Fifth Avenue. "Before Midnight" and "Strawberry Roan" were strong at $4,250 in the Liberty, but the rest were weak as follows: "Counsellor at Law," $4,000 at the Music Box; "Lone Cowboy" and "The Big Brain," $6,000 at the Orpheum; "Son of a Sailor," $5,500 at the Paramount; "Right to Romance," $5,000 at the Roxy.

"Alice" Also Big in Portland

Portland went for "Alice in Wonderland" in a big way The $10,000 take at the Paramount was double average. The other half of the dual bill was "Olsen's Big Moment." "Little Women" romped along to $3,000 in its fourth week at Hamrick's Oriental, and "Roman Scandals" took $5,800 at the United Artists. It was held over. "Counsellor at Law" did an average $3,000 at Hamrick's Music Box, but "Going Hollywood" took only a weak $5,000 at the Broadway.

Pitttsburgh escaped the pre-Christmas slump with a smart $47,000 for the six first runs, with "Alice in Wonderland" more than doubling the normal take at the Davis at $4,800, and "Mr. Skitch" throwing the Fulton into a ticket-selling rush with $6,450. At $13,000, "Going Hollywood" was $1,000 up for the Penn, "Fury of the Jungle" and a vaudeville show at the Pitt were unusually strong with $7,700, "House on 56th St." was average with $9,000 at the Stanley, and "Son of a Sailor" had a good $5,650 at the Warner.

Oklahoma City exhibitors gave three cheers for the first time in weeks when they counted up the Christmas week-end receipts. Every house except one was over average, the single exception being the Midwest with "Invisible Man." "Dancing Lady" was practically a sell-out at the Criterion with an $8,000 take, and "Alice in Wonderland" took a strong $3,500 at the Capitol. "Havana Widows" and "Myrt and Marge," which split the week at the Liberty, totalled $2,100.

"Alice in Wonderland" stirred up plenty of excitement in Minneapolis and St. Paul. At the Minnesota the $9,500 gross was $2,000 over normal and at the St. Paul Paramount the $6,500 take was $1,000 up. "Broadway Thru a Keyhole" was strong in both cities, with $6,500 at the State and $4,500 at St. Paul Riviera. "Counsellor At Law" reached $6,500 at the RKO Orpheum in Minneapolis. "The Passion of Joan of Arc" took $1,500 at the 300-seat World in St. Paul.

3 Over Par in Montreal

In spite of exceptionally cold weather Montreal wound up Christmas week with three first runs over par. "Counsellor at Law" had a good $10,000 at the Capitol, "My Lips Betray" made it $11,500 at Loew's and a dual bill with "Red Headed Woman" and "Broken Dreams" took $6,500 at the Princess, "Sitting Pretty" and "Alice in Wonderland" were normal at $11,000 in the Palace. Kid shows mean nothing in Montreal around Christmas because of the ban on juvenile theatre attendance.

"Roman Scandals" hit a record $18,000 at the Philadelphia Aldine and looks good for another two weeks, and "Son of a Sailor," helped by Buddy Rogers and his orchestra on the stage, knocked all the recent marks sky high with a $26,000 gross. This is $14,000 over normal. "Mr. Skitch" and a stage show piled up a big $24,000 at the Fox. This tops par by $8,000. "Alice in Wonderland" was weak at the Stanley with $8,000. "Women in His Life" had a good $8,000 at the Stanton. "I'm No Angel" proved its continued drawing power with $7,000 for a second run at the Arcadia, above normal by $4,600, and "Jimmy and Sally," also a second run, at Keith's was good for $8,000.

San Francisco's bright spot was United Artists, where "Roman Scandals" hit $17,000, over normal by $9,000. "Counsellor At Law," with $15,500 at the Golden Gate, was the only other strong attraction in town. "Mr. Skitch" was down to $14,000 at the Warfield and "Alice in Wonderland" was weak with $7,000 at the Paramount.

Christmas didn't mean much to Loop box-offices in Chicago. "Roman Scandals" hit $25,500 at the United Artists, above par by $8,500, but every other downtown first run was below normal. "Duck Soup" took $30,000 at the Chicago, "My Lips Betray" grossed $20,000 at the Palace, "Little Women," in its fourth Loop week at the Roosevelt, had $9,000, "Alice in Wonderland" reached only $12,000 at McVickers, "Design for Living" was good for a weak $8,000 at the Oriental, and "Walls of Gold" managed to reach $14,000 at the State-Lake.

"Havana Widows" Tops K. C.

"Havana Widows" was top draw in Kansas City with $18,000 at the Mainstreet, and "Going Hollywood" was a good second at $14,000. "Alice in Wonderland" was weak at $5,000 in the Newman. "Jimmy and Sally" and "Son of a Sailor" were just fair at the Uptown. "S. O. S. Iceberg" had a bad $900 at the Apollo.

"Alice in Wonderland" on a dual bill with "Horse Play" was the only first run to reach par in Omaha. The take was $5,500 at the World. "Mr. Skitch" was $1,000 off on a $6,750 take at the Paramount, and "Son of a Sailor" took only $6,500 at the Orpheum.

LOS ANGELES, Jan. 2.—"Mr. Skitch," now playing simultaneously in a number of spots is piling up record grosses.

First week at Loew's State drew the best profit of any picture since stage shows were discontinued.

The Fox Pomona chalked up $1,053 for the first day compared with $135 for the preceding week. The Arlington, Santa Barbara, netted $1,065 compared with $160 for the previous Monday.

Comparing the first playdate with the preceding Monday, "Skitch" drew $1,949 to $428 at the Fox, Oakland. Fox's Riverside grossed $906 to $116. The Senator, Sacramento, brought in $1,428 compared to $332 the previous week.

PORTLAND, Jan. 2.—Will Rogers' "Mr. Skitch" opened yesterday at the Paramount to capacity business. "Flying Down to Rio" grossed $2,000 for opening day. All houses are doing a heavy New Year business.

Free beer is being given with admissions in some spots.

Back in Theatre

Eddie Dowling, producer of a list of successful Broadway stage plays and motion pictures, is back in the New York theatre with his latest production, "Big-Hearted Herbert," which has opened an engagement at the Biltmore theatre. The new play is a characteristic down-to-earth entertainment featuring J. C. Nugent and Elizabeth Risdon. Dowling's latest picture is "His Double Life," released by Paramount.

State High Rental Closed the Embassy

(Continued from page 1)

Fox-Hearst Corp., Nov. 2, 1929, and was the first all-newsreel theatre in the world. In 1930, the operating company became Movietonews, Inc., a Fox subsidiary of which Truman Talley, editor of the Fox newsreels, is vice-president and general manager. E. L. Harvey has supervised the Embassy since its opening. He continues in his capacity as editor of Fox Movietone News. The Embassy's admission was maintained at 25 cents, despite admission decreases during the past two years at leading Broadway houses, yet attendance often remained above 13,000 weekly, it was said. It had an immediate success, surprising to many quarters in the industry, upon its opening.

If a suitable location can be obtained, Movietonews will open a new newsreel theatre, Talley said yesterday.

Upswing Has Begun, Says Abe Montague

(Continued from page 1)

So tremendous a decline forced some of the greatest and most powerful organizations into difficulty and had a demoralizing effect upon producers and exhibitors alike. Time and attention were devoted to worrying instead of hustling, and showmanship—the thing that made Barnum and that built up and sustained every form of amusement business—almost disappeared.

During three years of stress the exhibitor has developed a keen disposition to lessen his overhead expense. One of the last desperate measures he resorted to in this process was curtailment of advertising and exploitation. This violation of the cardinal principles of showmanship brought the industry to its greatest "low," causing it to reach bottom.

Happily the turn came, and a great psychological wave both in and outside the industry is operating for the recovery and the prosperity that I predict. Business is improving, and has been steadily throughout recent months. Theatres forced by the financial stringency to close are reopening in considerable numbers. Those that successfully bucked the financial storm, operating uninterruptedly through it, report better patronage with increasing employment developing weekly. The results achieved to date in the progress of recovery justify confidence in the future. The experience we have all passed through should and will afford a foundation on which the motion picture industry will assume a new and greater prosperity.

The public, ever alert to sense a return of vitality, is responding favorably to the good pictures that are the fruit of awakened confidence among producers. Given good pictures, plus proper exploitation on the part of the exhibitor, the public can now be depended upon to do its part.

So, weighing all things, I confidently anticipate a big year for the industry as a whole.

Court Permits RKO Payment Upon Bond

Federal Judge Bondy yesterday authorized payment of interest due Jan. 1 on outstanding RKO bonds on petition of William J. Donovan, attorney representing Irving Trust, receivers for the company. In his petition, the attorney asserted payment was necessary to avoid foreclosure and preservation of company's assets.

The interest is $100,512, or at the rate of six per cent on $1,825,208 in bonds outstanding of an original issue of $6,000,000. Chemical Bank and Commercial Investment are trustees.

Von Herberg Quits Majestic Financing

PORTLAND, Jan. 2.—Due to the withdrawal of J. Von Herberg of Jensen, Von Herberg from financial support of Majestic Pictures, Nat Levine Films of Oregon and Washington, distributors, is undergoing a reorganization.

You clicked with 

× Ditto with 

You Know you can count on 

and 

both Astor theatre attractions You can sit back with 

× However, the main purpose of this page is to say "Ready, set and soon to go on 









not to mention "Tarzan and His Mate", and "Viva Villa"; all productions typical of

Metro-Goldwyn-Mayer

Film Stocks Gain as New Year Begins

(*Continued from page* 1)

pension of banking facilities. Thereafter, until late in the summer, there was a sharp upswing. This was followed by a reaction, but as the year closed all stocks were steady and tending irregularly higher.

Confidence in the new year is widespread as the NRA and other measures of the new administration began to hit their stride and show results in the form of increased employment and public purchasing power.

While earnings reports of leading producers during 1933 naturally did not reflect this improvement, the outlook for future income, in many quarters, is regarded as the best since the depression set in and, consequently, the market action of the shares fell in line with the new optimism.

With respect to earnings, one company, Columbia Pictures, made a consistently good showing in the face of a general decline in other quarters. For the year ended July 1 the company reported a net profit of $740,241, against $574,292 in the year ended June 25, 1932. The earnings improvement of 1932 continued during 1933 and for the 13 weeks ended Sept. 30, 1933, Columbia reported a net of $241,558, against $220,027 in the corresponding period of 1932.

Columbia voting trust certificates on the "Big Board" closed the year 14¾ points higher at 24. Other big gains were Eastman Kodak at 81, up 26¼; Loew's, Inc., 28¾, up 9½; Loew's preferred 72, up 14; Pathe Exchange Class A 11, up 9¼; Warners at 5¼, up 3½ and Warners preferred at 15½, up 8⅞.

Several changes took place in the list during the year, including the removal of Paramount-Publix common. The company was thrown into bankruptcy Jan. 26. Late in the year, Kuhn, Loeb & Co., bankers, announced prospects for an early reorganization had been enhanced by encouraging operating results since the receivership.

In conjunction with a complete reorganization of Fox Film, the old Class A stock of the company was taken off the board and new shares listed.

Although engaged in a less spectacular price movement, film stocks on the Curb Exchange and the list of bonds on the Stock Exchange kept pace with the rise in stocks and finished the year sharply above the final levels of 1932.

Total turnover on the "Big Board" ran considerably under 1932 when the turnover was 9,367,262 shares as compared with 8,573,864 for 1933 and 28,842,600 shares for 1931. The curb market in 1933 showed more activity, 495,850 shares having been sold as compared with 367,905 in 1932, although 1931's total reached 1,958,625. Bonds valued at $11,172,000 made up last year's total. In 1932, the sales aggregated $17,708,000 and $1,165,000 in 1931.

Eastman Gains 1½

	High	Low	Close	Net Change	Sales
Consolidated Film Industries	2¼	2⅛	2¼	.....	100
Consolidated Film Industries, pfd	10¾	10⅜	10⅝	+ ¼	1,100
Eastman Kodak	82½	81½	82½	+1½	500
Eastman Kodak, pfd	125	123½	123½	+ ⅝	8,000
Fox Film "A"	13⅝	13⅜	13⅜	— ⅛	200
Loew's, Inc.	29⅛	28½	28¾	.....	3,500
Loew's, Inc., pfd	72	72	72	.....	100
Paramount, cts.	1⅞	1¾	1⅞	.....	4,200
Pathe Exchange	1¾	1¾	1¾	+ ⅛	200
Pathe Exchange "A"	11¾	11	11¾	+ ¾	700
RKO	2⅜	2⅜	2⅜	+ ⅛	200
Warner Bros.	5½	5¼	5⅜	+ ⅛	2,600

Technicolor Only Curb Opener

	High	Low	Close	Net Change	Sales
Technicolor	9½	9¼	9¾	+ ¼	200

Pathe Bonds Rise 1½ Points

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	3⅛	3⅛	3⅛	+ ⅛	1
General Theatre Equipment 6s '40, ctf	3⅛	3	3⅛	s7	10
Loew's 6s '41, ww deb rights	86	85	86	+ ¼	11
Paramount Broadway 5½s '51	30	30	30	.....	2
Paramount F. L. 6s '47	30	30	30	.....	5
Paramount Publix 5½s '50	30⅞	29⅞	30⅞	+ ⅜	11
Pathe 7s '37, ww	86½	86½	86½	+1½	3
Warner Bros. 6s '39, wd	42¾	42	42	—1½	17

(*Quotations above for January* 2, 1934)

Financial Authority Terms Outlook Better

"Prospects for 1934," yesterday declared *The Wall Street Journal*, generally recognized as an authority on financial affairs, "seem better than in a number of years. While the difficulties of the industry are not entirely solved, the results of extensive reductions in expense, theatre rentals, film production costs and general overhead, coupled with a moderate improvement in theatre attendance, are now beginning to show in income accounts and should make possible profitable results in 1934 for a majority of the larger companies."

The Journal regards discharge of RKO from bankruptcy "further from solution . . . than Paramount."

"Big Board" Sales in 1933 Total 8,573,864 Shares

	1933 Sales	1933 High	1933 Date	1933 Low	1933 Date	1933 Last	Net Change	1932 High	1932 Low	1931 High	1931 Low
Columbia Pictures, vtc	177,500	28	Nov. 23	6⅝	Mar. 27	24	+14¾	14⅞	4¼	not listed	
Consolidated Film	112,200	5¾	May 29	1¾	Jan. 4	2½	+ 1	5⅜	1	15	3¾
Consolidated Film, pfd	391,600	14¾	May 29	5⅞	Mar. 21	10⅜	+ 4¼	11¾	2¾	18⅞	7¾
Eastman Kodak	638,519	89¾	July 14	46	Apr. 4	81	+26¼	87⅞	35¼	185¾	77
Eastman Kodak, pfd	2,390	130	Mar. 20	110	May 2	124⅛	+ 5⅛	125	104¾	135	103
Fox Film "A"	542,900	4⅞	June 6	¾	Mar. 29	removed		5⅞	1	38⅜	2½
Fox Film "A" (new)	82,900	19	Sept. 14	12	Oct. 21	13¾	not listed 1932	not listed		not listed	
Keith-Albee-Orpheum, pfd	4,150	25	May 31	8	Jan. 26	15	— 5	30	7	101½	10
Loew's, Inc.	1,488,200	36½	Sept. 18	8½	Mar. 22	28¾	+ 9½	37¾	13¼	63½	23⅞
Loew's, Inc., pfd	22,400	78⅛	July 19	35	Apr. 4	72	+14	80	39	98	56
Metro-Goldwyn-Mayer, pfd	11,400	22	Sept. 1	13½	Mar. 1	20	+ 2⅛	22¼	14	27	15
Orpheum Circuit, pfd	1,140	7	June 9	1⅜	Jan. 30	6	+ ¼	15	3¼	75	4⅜
Pathe Exchange	404,100	2½	July 10	¼	Jan. 4	1⅝	+ 1⅛	1¼	¼	2⅞	¼
Pathe Exchange "A"	325,600	14¼	Dec. 3	1¼	Jan. 25	11	+ 9¼	5¾	1¼	8⅜	1⅛
Radio-Keith-Orpheum	532,100	5¾	June 8	1	Mar. 31	2¼	+ 1¼	7¾	1½	4	2¼
Universal, pfd	2,840	35	June 13	10	Apr. 24	18	+ 7	50	10¾	57½	24
Warner Brothers	3,822,625	9⅛	Sept. 15	1	Feb. 25	5¼	+ 3½	4½	½	20⅜	2⅛
Warner Brothers, pfd	11,300	24½	Oct. 6	4¼	Feb. 7	15½	+ 8⅞	20	4	40½	8½

Curb Exchange Sales Turnover Is 495,850 Shares

	1933 Sales	1933 High	1933 Date	1933 Low	1933 Date	1933 Last	Net Change	1932 High	1932 Low	1931 High	1931 Low
Columbia Pictures, common	7,200	27¼	Nov. 24	8¼	Feb. 27	27¼	+17⅜	15	4½	23	3⅛
Educational Pictures, pfd	50	3	Nov. 27	2	Dec. 14	2	—20	22	8	42	13⅝
General Theatre Equipment, pfd	77,200	⅞	June 7	⅛	Mar. 15	3/16	+1/16	1⅛	⅛	31¼	⅜
National Screen Service	2,000	13	Sept. 19	5¼	Apr. 5	12½	+ 2	18	10½	24	15¼
Sentry Safety Control	25,600	5⅛	June 6	⅛	Jan. 6	⅛	—1/16	1	⅛	3½	½
Technicolor	293,400	14	Oct. 10	2⅝	Feb. 15	9	+ 6⅛	5¼	5⅛	15¼	1⅜
Trans-Lux	89,800	3¾	June 6	1⅛	Mar. 22	2⅜	+ 5⅛	3¾	¾	13¼	1⅜
Universal Pictures	600	4	May 13	1	Feb. 16	1	— 1¾	6	1	7⅞	4

$11,172,000 in Bonds, Year's Transactions

Bond and Maturity	1933 Sales in Dollars	1933 High	1933 Date	1933 Low	1933 Date	1933 Last	Net Change	1932 High	1932 Low	1931 High	1931 Low
General Theatre Equipment 6s, '40	1,212,000	9¼	July 19	1	Mar. 30	3	+ 1¼	7¾	1	74	2
General Theatre 6s, '40, ctfs	192,000	7¾	July 18	1	Jan. 19	3	+ 1⅞	6	1	not listed	
Keith 6s, '46	1,128,000	61	July 19	29½	Jan. 27	52½	+22¼	63	24	78½	35
Loew's 6s, '41	924,000	89	Aug. 24	48	Mar. 23	85¾	+ 5	90	64	99¾	70
Paramount-Broadway 5½s, '51	372,000	40	Aug. 7	25	Mar. 17	30	— 7	82	34	105	65
Paramount-Broadway 5½s, '51, ctfs	72,000	38	Aug. 2	27½	Nov. 24	30	not listed 1932	not listed		not listed	
Paramount-Famous-Lasky 6s, '47, ctfs	468,000	34½	Aug. 2	10½	June 5	30	+15½	60⅝	12½	97	40
Pathe Exchange 7s, '37, w.w	240,000	87	July 19	47½	Jan. 26	85	+17	80½	49	96	51
Radio-Keith-Orpheum 6s, '41	12,000	30	July 13	8½	Feb. 4	15	— ½	19	14½	not listed	
Warner Brothers 6s, '39	6,552,000	48	Sept. 18	12	Jan. 30	43½	+25½	40	9¼	74½	25



WITH THEIR

OWN VOICES
IN ANIMATED CARTOONS

"Undisconnected wid de Fresh Air Taxicab Co. of America, Incorpulated," Andrew H. Brown, President, Andrew H. Brown, Director, Andrew H. Brown, Author, Andrew H. Brown, Cameraman and Amos Jones, Property Man, announce the first super-supreme-colossal-de luxe production of "The Great Animater Pitcher Co. of America, Incorpulated" Entitled

"THE RASSLIN' MATCH"

FIRST OF THE LONG ANTICIPATED SERIES BRINGING TO THE SCREEN FOR THE FIRST TIME "AMOS AND ANDY," THEIR FRIENDS, ASSOCIATES AND FELLOW LODGE BRETHREN, JUST AS THEIR MILLIONS OF RADIO FANS IMAGINE THEM!

RADIO'S GREATEST STARS! RECORD-BREAKERS IN PERSONAL APPEARANCES! NOW A GREAT ELECTRIC-LIGHT ATTRACTION FOR YOU IN ANIMATED CARTOONS!



RKO Radio Pictures

PRODUCED BY THE

VAN BEUREN CORPORATION

Protection of Little Fellow Aim of NIRA

(Continued from page 1)

be felt in the film industry in company with all other industry.

Investigation by the NRA and presentation of data before the President have brought to light hardships imposed on small enterprises through operation of the recovery administration. Officials are also aware of the impression in the minds of some industrialists that the anti-trust laws were wiped off the statute books when the NIRA became a law. This is not the fact, although it is a fact that laxity has been permitted to creep into that section of the Federal machinery.

Complaints of small enterprises which feel they are being imposed upon or further hampered through expansion of big business may be cleared through creation of a board similar in setup to the National Labor Board of which Senator Wagner is chairman.

Well informed opinion here maintains that, were such a plan adopted, there would not necessarily follow any amendment in codes already operative. A further amplification of what constitutes fair practices, however, might easily be in the offing.

Consolidation and broadening of the benefits of codes in order that prevention of all forms of unfair competition may become a permanent part of American business practice was urged today by Henry I. Harriman, president of the U. S. Chamber of Commerce as part of the national recovery program for coming years.

Other reforms which will be sought by the chamber include the adjustment of relief activities to prevent their having detrimental effects upon the normal activities of communities, stabilization of currency, amendment of the Securities Act, and revenue legislation which will treat all business enterprises equitably and avoid burdens on business that are not fully demonstrated to be necessary for the revenue requirements of the Government.

KMTA Offers Change In Code Board List

KANSAS CITY, Jan. 2—Nominations for zoning and clearance and grievance boards for the Kansas-Western Missouri territory have been submitted to Sol A. Rosenblatt, division administrator, by the Kansas-Missouri Theatre Ass'n.

The list is the second from this territory, a previous slate having been sent in by the I. T. O. of Kansas City. With one exception, names on the territorial organization's list also were recommended by the Kansas City independents. The exception is Roy A. Roberts, managing editor of the *Kansas City Star*, nominated by the K. M. T. A. for membership on both boards as a representative of the public. For that post, the independents chose Judge Merrill E. Otis of the Federal District Court.

N. J. Discusses Code

Discussion of the code highlighted the regular meeting of Allied of New Jersey yesterday.

Western Theatres Join To Prevent Competition

(Continued from page 1)

of 9,746 in eight cities. The company will not enter any other cities except on an exclusive basis. Each group is organized in its own state, and Gilmour is vice-president and a director of each corporation.

Officers are: Gilmour, president, former manager of Warners exchange here; E. J. Schulte, vice-president, owner of Casper, Wyo., theatres; Nathan Salmon, treasurer, owner of Santa Fe., N. M., theatres; Everett Cole, treasurer, owner in Alamosa and Del Norte, Col.; W. H. Ostenberg, chairman of the board, owner in Scotts Bluff, Neb., and Thomas F. Murphy and Edward W. Ward, owners in Raton, N. M., and Silver City, N. M., respectively. All are on the board of directors.

Headquarters will be maintained in Denver, where all the booking and buying will be done. Fred L. Knill, former booker for Columbia, will be booker and office manager.

306 Wins Injunction Move Against ITOA

A temporary injunction to restrain the I. T. O. A. and the Allied M. P. Operators Union, Inc., described as "a company union," from allegedly violating the industry code was granted yesterday to Harry Sherman, president of Operators' Local 306 by Supreme Court Justice William T. Collins under the new state law incorporating the hour and wage provisions of the NRA.

Sherman and the local charge the defendants formed the so-called "company union" and started to get rid of members of the local, jacking working hours and reducing wages under the code scale.

Argument on the order will be heard Jan. 29. A permanent injunction and $1,000,000 damages are being sought by the plaintiffs. The defendants contend the court has no jurisdiction in the matter because the film code is not covered by the state law because the document has not yet been filed with the Secretary of State in Albany.

Europe on Upgrade, States Sam Briskin

CHICAGO, Jan. 2.—Business conditions abroad are pretty good and in England people are particularly optimistic, Sam Briskin, general manager at Columbia studios, stated here enroute to the coast after a six weeks' vacation in foreign countries. While in Europe Briskin signed a player. He said his name was not important enough to mention.

Columbia will produce a number of pictures abroad, he said, to meet quota requirements.

Ampa to Fete Publishers

Tomorrow's Ampa session will be Publishers' Day. Ogden and Mrs. Reid of the *Herald-Tribune*, Paul Block, John Finneran of Scripps-Howard, A. J. Kobler of the *Mirror*, Ben Butler of the *Times* and Walter Young of the *Evening Post* will be guests of Lou Goldberg, who will act as chairman.

Delayed by Illness

While the Biograph studio opened its doors yesterday, actual production failed to get under way because of the illness of Tallulah Bankhead who was slated for one of the leads in "Frankie and Johnnie" which Chester Erskine will make there. Lilyan Tashman may replace Miss Bankhead.

Seeks 1/4% Sales Levy

JEFFERSON CITY, Mo., Jan. 2. — Proposal for a one-fourth of one per cent general sales tax has been made by the Senate Ways and Means Committee. Theatre admissions would be included.

Casey Busy on Code

HOLLYWOOD, Jan. 2—Pat Casey is now making his headquarters at the Producers' Association where he will remain for several weeks on code matters.

New Deal Made for Publix in Atlanta

Decentralization of former Publix Enterprises holdings was begun yesterday with completion of a partnership agreement by which Atlanta Enterprises, Inc., consisting of the Paramount and Keith Georgia, both in Atlanta, will be operated by William Jenkins and Arthur Lucas on a salary and percentage basis for eight months. The deal was the first to be made by Famous Theatres Corp., new Paramount Publix subsidiary, since it acquired assets of Publix Enterprises on Dec. 22 for $1,800,000.

Jenkins and Lucas are also operating partners of Famous Theatres in other Georgia houses as a result of deals made with Publix Enterprises.

Carnival Code Will Be Heard on Jan. 17

WASHINGTON, Jan. 2.—Public hearing of the code for the carnival industry today was set for Jan. 17. It will be held before Division Administrator Sol A. Rosenblatt at the Ambassador.

The circus code hearing will be held at the same place on Jan. 19.

Mrs. Bella Cohn Passes

Mrs. Bella Cohn, 69, mother of Harry and Jack Cohn, died suddenly Saturday night at her home, 416 Fort Washington Ave. The funeral will be held Thursday at 1 o'clock at the West End Funeral Chapel, 115 West 79th St., and burial will be at the old Mt. Carmel Cemetery, Cypress Hills.

Mrs. Cohn was the widow of Joseph H. Cohn. She is survived by four sons, Harry Cohn, president of Columbia; Jack Cohn, vice-president and treasurer of Columbia; Nat Cohn, district sales manager; Maxwell Cohn, president of Weldon Pictures, and one daughter, Mrs. Anna Fraum.

Jack Cohn, on a southern cruise, does not reach this city until late this afternoon.

Harry Cohn is coming east for the funeral.

Major Heads Silent About Salary Return

(Continued from page 1)

no discussion on elimination of cuts in his organization. A Warner official expressed the same opinion, as did a spokesman for Loew's, Inc., and M-G-M, two of the major companies where salary restorations are understood to have been discussed lately. Abe Montague of Columbia said it was news to him.

No spokesman at Universal could be reached for comment. W. Ray Johnston of Monogram pointed out there never had been cuts in his organization. "We're pre-war around here," he remarked.

The M. P. P. D. A. was another organization without any information on the matter, a spokesman said.

Officially, therefore, United Artists to date stands alone in any move to bring salaries back to their pre-cut levels.

Expect President's Message to Be Brief

(Continued from page 1)

President Roosevelt today denied himself to all visitors in order to work on his message which, it is believed, will be short, and devoted largely to summarizing the condition of the Government. Few recommendations are expected at this time.

During the special session last spring the President sent his recommendations to Congress one at a time.

The budget, expected to carry appropriations possibly as heavy as $8,000,000,000, will go to Congress Thursday. The first legislation to come up is expected to be the liquor tax bill and the proposal to give the President authority to alter tariffs in the making of reciprocal treaties with other governments.

Authority Problems Before Committees

(Continued from page 1)

Union League Club to discuss plans for presentation at the second authority session tomorrow at the Bar Ass'n. Bldg. No definite action was taken at the meeting, which broke up at 11:40. John Flinn will call a press meeting today to discuss the preliminary plans proposed last night.

S. R. Kent, H. M. Warner, Charles L. O'Reilly and Nathan Yamins are on the financing committee and Kent, O'Reilly, Yamins, George J. Schaefer and W. Ray Johnston are on the committee to appoint clearance and zoning and grievance boards.

Rosenblatt Confers With Theatre League

Division Administrator Sol A. Rosenblatt yesterday met with legitimate theatre men on the code at the office of the League of New York Theatres in the Paramount Bldg.

To Vote on Bargaining

HOLLYWOOD, Jan. 2.—Sound men vote Thursday and Friday on collective bargaining representation.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 35. NO. 3 NEW YORK, THURSDAY, JANUARY 4, 1934 TEN CENTS

More Time to Be Sought For Signing Code Forms

Recovery Act Fixed Policy, Congress Told

President Aiming Blow At "Ruinous Rivalry"

WASHINGTON, Jan. 3—The machinery of industrial recovery was described by President Roosevelt in his address to the joint session of Congress today as a "permanent feature of our modernized industrial structure" which "will continue under the supervision but not the arbitrary dictation of Government itself."

The pronouncement was regarded here as definite indication that steps will be taken to extend recovery legislation beyond the two-year emergency period provided under the N. I. R. A. The President, however, told Congress that the machinery, "hurriedly devised, may need readjustment from time to time."

The President's address asked no specific legislation by Congress but did petition that body for "counsel"

(*Continued on page 8*)

FWC Fees Pruned To Property Value

LOS ANGELES, Jan. 3—Trustees' commissions and attorneys' fees for Fox West Coast will be proportioned to what the estate might bring at auction, or when an approximate valuation of the properties is ascertained, declared Referee Samuel W. McNabb when William H. Moore, in behalf of his fellow trustees, Charles Skouras and Charles C. Irwin, asked for an

(*Continued on page 10*)

Warners' Checking Now on 100% Basis

Warner-F. N. pictures playing percentage engagements are now checked 100 per cent by the company's own checking organization, which was created experimentally for a number of test situations last October.

"The results are very satisfactory," Ralph Budd, director of the Warner checking organization, said yesterday in reporting completion of the organizing work.

Erpi Not to Slash Service Rates Here

No reduction of service charges by Erpi is contemplated or has been discussed insofar as the American terri-

(*Continued on page 10*)

Competition Keener, Says Laemmle, Jr.

HOLLYWOOD, Jan. 3.—Calling competition among producers "keener than ever," Carl Laemmle, Jr., regards this condition as "the best thing that could possibly happen to advance quality of pictures."



The youthful Universal producer is preparing for a trip abroad. But what he thinks about the domestic situation at large, and the Hollywood situation, in particular, is this:

"Every producer in the industry has

(*Continued on page 10*)

Fox Theatre Units Formed in Delaware

WILMINGTON, Jan. 3.—Decentralization of the Fox Rocky Mountain theatres was continued here with the incorporation of Fox Iowa Theatre Corp., Fox Billings Theatre Corp., Fox Rockhill Theatre Corp. and Fox Southwest Theatre Corp.

Another incorporation was the Belleville Theatre Corp. The incorporators in each instance were Raymond J. Gorman, C. N. Caldwell, Jr., of Brooklyn and Arthur W. Britton of West Orange, N. J.

A Busy Two Years

Harry Arthur is anxious to know when the local grievance committee of the code starts functioning. He says he has enough grievances to keep the body working for the next two years.

Dembow Given High Post in New Para. Co.

Sam Dembow, Jr., former key man under Sam Katz in Publix operations, yesterday was elected vice-president of Paramount Theatres Service Corp., the company which will control home office contacts with operators of Paramount theatres in the field. The election completes the top personnel of the company's theatre organization and makes Dembow assistant to Ralph A. Kohn on theatre operation matters.



Sam Dembow, Jr.

The new post for Dembow last night was construed in some quarters as indicating his return to Paramount's theatre affairs in a more ac-

(*Continued on page 10*)

Rosenblatt Will Discuss ITOA Booth Scales Today

Division Administrator Sol A. Rosenblatt is expected to settle today the local labor squabble between the I.T.O.A. and Local 306 at a meeting designed to be secret at the I.A.T.S.E. headquarters. Attending the session will be Fred Dempsey, vice-president of the international; Harry Sherman, head of Local 306, and Harry Brandt, president of the I.T.O.A.

The union and exhibitor unit have

(*Continued on page 8*)

Extension Needed Due to Delay in Sending Out Signature Blanks

Extension of at least two weeks for turning in signatures of assent to the code will be sought by Nathan Yamins, J. Robert Rubin and Ed Kuykendall, the committee appointed to secure signatures of compliance, at the second Code Authority meeting today, it is learned by MOTION PICTURE DAILY. The move will be made due to delay in getting out the printed forms, which have been prepared by the committee and which will come up for approval by the Authority today. Division Administrator Sol A. Rosenblatt is expected to grant the additional time sought.

Originally Jan. 10 was the date set for final receipt of compliance names, but since this is six days away, the forms, if sent out today could not be returned from the far west in time, it is felt. Another angle to the proposed delay is that the committee on clearance and zoning and grievance boards cannot make any definite selections for appointments until it is known whether the nominees from the 32 key centers are willing to sign the code. All nominations are to be carefully studied and extra time is needed for filing of objections, if any, it is said.

If the Authority approves the forms today, the first batch will be put into the mails tonight.

Definite action is expected to be taken on headquarters today. While

(*Continued on page 8*)

McDonough Leaving For Coast Friday

J. R. McDonough, general manager of RKO, leaves for Hollywood tomorrow on what will be his first western trip since joining the company. The purpose is to look over the studio situation and discuss production schedules and budgets with B. B. Kahane, president of Radio Pictures.

Federation Adopts Plan for Finances

A permanent financing plan for the Federation of the M. P. Industry was adopted yesterday at a meeting of the

(*Continued on page 10*)

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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Somborn Dead, Cremated

BEVERLY HILLS, Jan. 3.—H. K. Somborn, second husband of Gloria Swanson, an early producer and in recent years proprietor of a number of restaurants, who died yesterday, will be cremated and his ashes shipped to New York, where his mother and sister live. He was 54 and had been ill several months.

Mrs. E. L. Hehl Buried

ST. LOUIS, Jan. 3.—Funeral services were held yesterday for Mrs. Emma L. Hehl, wife of Louis C. Hehl, secretary-treasurer of the M.P.T.O. of St. Louis, Eastern Missouri and Southern Illinois. She was 72.

MOTION PICTURE ALMANAC

1934-35

NOW IN PREPARATION

WHERE THE WORLD LOOKS FOR MOTION PICTURE facts

PRICE $5.00



Flash Reviews

"All of Me"
(Paramount)

HOLLYWOOD, Jan. 3—Has show values that yank at emotions. . . . Should give good account of itself, neatly combining mass and class appeal. . . .

"Frontier Marshal"
(Fox)

HOLLYWOOD, Jan. 3—Should appeal generally, especially to western fans and George O'Brien's followers.

"The Trail Drive"
(Universal)

Presents Ken Maynard in a fast and exciting tale with a plot that deviates from the routine enough to give it added interest. There is plenty of action to keep the kids on tenterhooks.

"Sensation Hunters"
(Monogram)

A mild yarn of a pattern quite familiar. . . . The whole thing is a bit too implausible but the cabaret atmosphere and the down-to-earth dialogue will do much to get it over. . . .

"Marriage on Approval"
(Monarch)

There is enough general production value and interest in this story of today's younger generation to warrant attention for it from subsequent runs and double featuring houses. . . .

"Sweden—Land of the Vikings"
(John W. Boyle)

An exceptionally interesting piece of entertainment. . . . Off-screen narrative by Wilfred Lucas is done with a touch of humor and some emotion. . . .

Full reviews of these films will appear in a later issue of MOTION PICTURE DAILY.

Trop and Crossley Form New Company

J. D. Trop and Randolph Crossley have formed Pinnacle Prod., Inc., to release a series of 12 one-reel Stan Laurel revivals, and a feature, "Chloe." Plans are also being made for additional productions.

Court Backs 'Elysia' Ban

BALTIMORE, Jan. 3.—Chief City Court Judge Samuel K. Dennis today affirmed the Maryland censors' rejection of "Elysia," saying that while parts of the nudist film were "free from criticism," as a whole it was "raw beef without any artistic or scientific merit" and "unquestionably unfit to be shown."

Lesser Will Handle Non-Theatre Films

Sol Lesser, president and general manager of Principal, has formed Principal Non-Theatrical Pictures Corp., which will start with a library of more than 200 subjects including educational, historical and other pictures. One of the series will be Zane Gray's adventure series. All will be released in 16mm width.

Lesser arranged for European distribution on his recent trip abroad.

Loew Publicity Men Set

Perry Spencer is now in charge of Loew publicity in the Bronx, except the Paradise, which is being handled by Henry Spiegel. Eddie Dowden handles Brooklyn and Queens.

Eastman Off 1½ as Most Issues Drop

	High	Low	Close	Net Change	Sales
Columbia Pictures vtc	24	24	24	.....	100
Consolidated Film Industries	2¾	2½	2¾	+ ¼	200
Consolidated Film Industries pfd.	10¾	10½	10⅝	.....	700
Eastman Kodak	82⅛	80¾	81	—1½	900
Fox Film "A"	13¼	12⅝	12⅝	—1	800
Loew's Inc.	28⅞	28	28⅛	— ⅝	1,100
Paramount cts.	2⅛	1⅞	2	+ ⅛	6,900
Pathe Exchange	1¾	1¾	1¾	.....	200
Pathe Exchange "A"	11⅛	10⅝	10¾	—1	1,200
RKO	2½	2⅜	2½	+ ⅛	2,300
Warner Bros.	5½	5	5⅛	— ¼	4,800

Curb Shares Take a Beating

	High	Low	Close	Net Change	Sales
Technicolor	9	9	9	— ¼	100
Trans-Lux	2¼	2¼	2¼	— ⅛	1,000

Keith, Pathe Bonds Decline 1½

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	3⅜	3⅜	3⅜	+ ¼	5
Keith, B. F., 6s '46	51	51	51	—1½	1
Loew's 6s '41 ww deb rights	86	86	86	.....	2
Paramount Broadway 5½s '51	31	31	31	+1	2
Paramount F. L. 6s '47	30	30	30	.....	2
Paramount Publix 5½s '50	30½	30	30	— ¼	36
Pathe 7s '37 ww	86½	85	85	—1½	5
Warner Bros. 6s '39 wd	42½	41½	41½	— ½	26

Purely Personal

PAUL E. ROGERS returned yesterday from quail hunting near Pinehurst, which was his choice for a holiday vacation after sub-zero temperatures chilled his enthusiasm for a Canadian big game hunt.

S. CHARLES EINFELD has been invited by HENRY L. DOHERTY, national chairman of the birthday ball for the President, to join the stage and screen division publicity committee. The ball takes place Jan. 30.

HOWARD S. CULLMAN and the entire staff of the Roxy, will tender a farewell dinner to DAVE SCHOOLER tonight, when SCHOOLER completes his 52 weeks' run at that house.

AL CHRISTIE, who spent the New Year's on the coast, is on his way back. He will start work on "The Expectant Father" in a few days for Educational.

SAM JAFFE is on his way back to New York from Hollywood by boat to appear on Broadway in "The Octagon" for John Golden.

GEORGE O'BRIEN, who with his wife, MARGUERITE CHURCHILL, has been in town over the New Year, left for Hollywood yesterday.

AL ROSEN checked out of the Warwick yesterday to go back to the coast to start work on "The Mad Dog of Europe."

FRANK BUCK and members of his "Wild Cargo" expedition are scheduled to arrive in New York today aboard the *Rex*.

JULES LEVY plans a mid-winter vacation, but can't make up his mind. He is considering Florida and California.

FAY BAINTER is en route east, having completed a featured spot in "It Happened One Day" for M-G-M.

BEN STOLOFF arrived at the Warwick yesterday from Hollywood. He has a picture in mind.

JOE WEIL has taken the air line to Hollywood to become assistant to CARL LAEMMLE, SR.

PAUL AND MRS. MUNI will leave Saturday night for a two months' trip through Europe.

TIM MCCOY has left by air for Hollywood to resume work after spending the holidays here.

GIFFORD A. COCHRAN is off on the *Nerissa* for a cruise to the West Indies.

AILEEN ST. JOHN BRENON of the Paramount publicity staff is en route to the coast.

WILLIAM FERGUSON heads for Richmond and Miami this week.

GENE RAYMOND is en route to Europe. It's a vacation.

GEORGE BROWN is back from a Caribbean cruise.

WALTER HUSTON is eastbound from Hollywood.

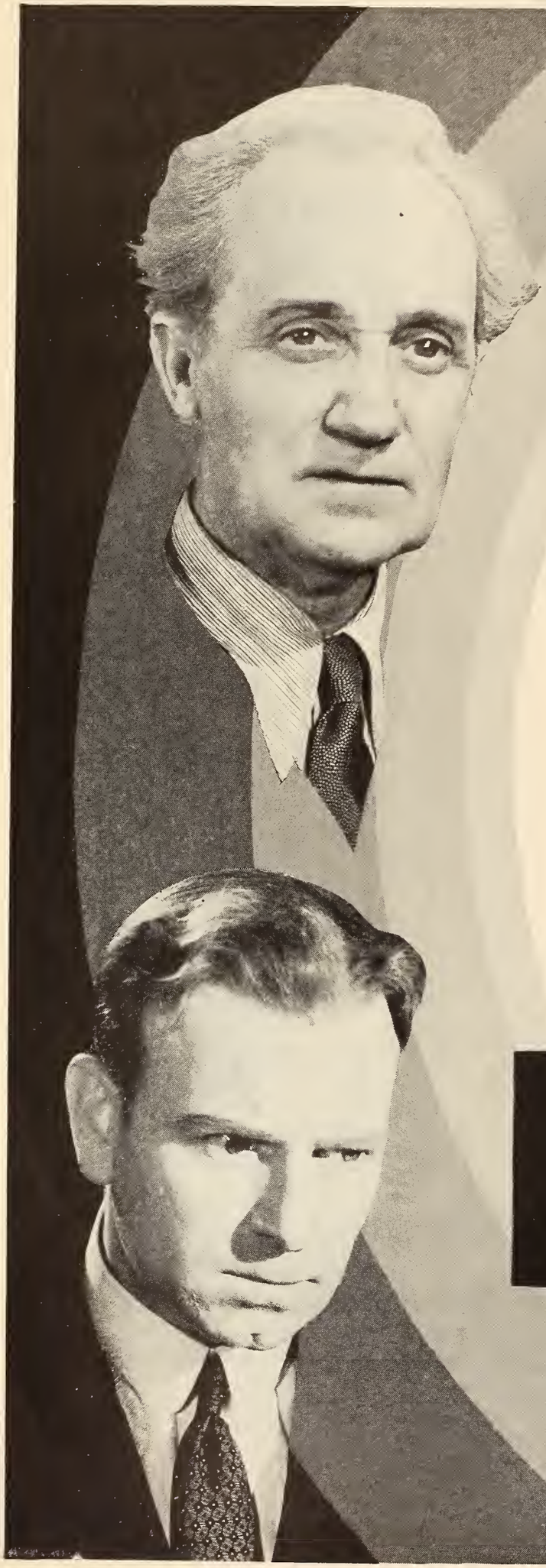


The first hit of the New Year is M·G·M's "Fugitive Lovers" Screem it right away and start promotion!

watch for announcement of $200 prize awards for the best "Fugitive Lovers" theatre campaigns Robt. Montgomery, Madge Evans, Ted Healy in the cast Here's a show you'll go nuts about Typical of the week after week hits from



Metro-Goldwyn-Mayer



UNIVERSAL

Again Delivers A Box-Office Picture That's Startlingly DIFFERENT!

MIDN

With SYDNEY FOX, O. P. Heggie, Henry Hull, Margaret Wycherly, Lynn Overman, Katherine Wilson, Richard Whorf, Humphrey Bogart, Moffat Johnson.
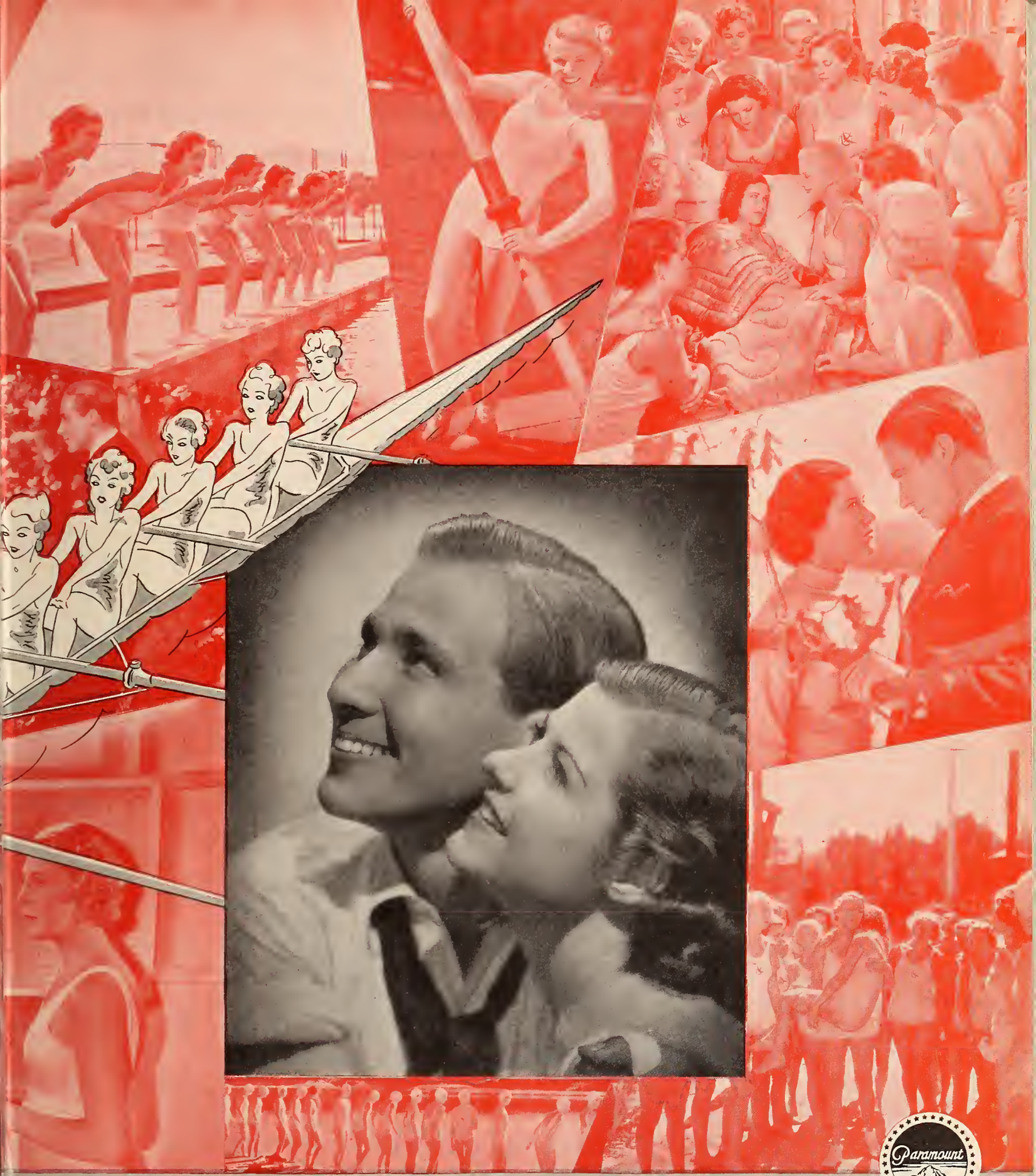


At midnight one woman was destined to die!...At midnight another woman was destined to kill!...What a strange premise for a movie!...Yet its working out on the screen brings you one of the most absorbing and worth-while dramas in months and months.

GHT

From the Theatre Guild play by Paul and Claire Sifton. Directed by Chester Erskin. Produced by All Star Productions, Inc. Presented by Carl Laemmle.


NO MEN ALLOWED
8
GIRLS
A Paramount Picture
Direct



IN A BOAT"

by Richard Wallace A Charles R. Rogers Production.

More Time to Be Sought for Signing Forms

(Continued from page 1)

earlier expectations were in favor of the RKO Building, new offers may find the final choice in the Times Square district.

The tentative financing budget, which was sent back to the committee Tuesday night after a meeting of the group at the Union League Club, will probably be approved today so that the Authority may start actual detail work. The final budget will be left for another session, it is understood. The method in taxing the industry also is a moot question and nothing is expected to happen on the plan at today's meeting.

Under discussion is a plan to have one secretary act for both clearance and zoning and grievance boards in each of the 32 exchange centers. This, however, hasn't been decided and will probably be put over for another session.

Although the rules committee is in favor of parliamentary procedure approval will not be made until ample time for study is given each member of the Authority, it is said.

Other than get the permanent headquarters set and securing signatures, there seems to be an inclination on part of some members of the Authority not to rush into the work of financing, rules and setting up clearance and zoning and grievance boards until each is studied carefully and from all angles.

Rosenblatt yesterday met with authors and writers on their code at the Authors' League of America. On Tuesday he conferred with the legitimate theatre men at the League of New York Theatres in the Paramount building. This morning he will meet with labor representatives at the I.A.T.S.E. home office and attend the Code Authority session this afternoon, returning to Washington late tonight.

John C. Flinn will be the official press spokesman in addition to executive secretary.

Brown Order Angers Advisory Board Men

WASHINGTON, Jan. 3.—Members of the Recovery Administration advisory boards were highly incensed over inter-office orders issued today by Alvin Brown, executive officer, ostensibly outlining the duties of deputy administrators, but containing a paragraph that when there is an important disagreement with any advisory board the matter must be decided by the administrator and not by the deputy.

"On the other hand," Brown declared, "the advisory boards are not here simply to 'make a record' by objecting to everything.

"If they cannot adopt an attitude of conciliation and an effort to make composition," he asserted, "the administrator will have to confess the inadequacy of his fundamental plan and abolish them."

The order was not intended to get beyond the borders of the Administration, and it was unofficially explained that there is no intention of abolishing the advisory boards.

Rosenblatt Will Discuss ITOA Booth Scales Today

Court Union Ruling Called NRA Victory

The decision of Judge Collins in the action of Local 306 against I.T.O.A. and Allied M. P. Operators "is a victory for the defendants as it denies to Local 306 each item of relief sought," according to Weisman, Quinn, Allan & Spett, attorneys for the defendants.

"Judge Collins' decision upholds NRA policies and principles," the lawyers' statement issued yesterday says. "These policies and principles are being supported by the defendants. As a result of this decision it will not be necessary for any exhibitor to reinstate any operator of Local 306, or to cancel any present arrangements made with any motion picture union, both of which were items of relief sought by Local 306," the statement sets forth.

Yamins to Be Guest At Dinner in Boston

Nathan Yamins, president of the Independent Theatre Owners of New England, will be tendered a banquet by the Allied unit next Tuesday evening at the Copley-Plaza in Boston. The banquet will follow the regular meeting of the organization. About 350 are expected to attend.

It was originally planned to hold a meeting for discussion of the code on Jan. 2, but due to the fact that Yamins was called to New York to attend Code Authority committee meetings, the session was postponed.

Yamins leaves for Boston tonight following a meeting of Code Authority.

Pat Casey on Coast In First Code Deal

HOLLYWOOD, Jan. 3—The Pat Casey office here has completed its first piece of business in connection with the code. It consists of a verbal agreement with second assistant directors and script clerks to work a maximum of 54 hours a week at a minimum weekly scale of $40.50 for the latter, with time and a half for Sundays and holidays. A minimum for the former group will be set later. It is believed producers will accept Casey's recommendations.

Boston Union Gives Barrows 16th Term

BOSTON, Jan. 3—Thad Barrows was re-elected president of Boston operators local No. 182, at the annual elections last night. This marks his 16th year in the post. James F. Burke was re-elected business agent. These two men, with John Fullick, were elected delegates to the I.A.T.S.E. convention to be held in June.

Postpone Kaplan Hearing

Hearing before the Appellate Court against Sam Kaplan, deposed president of Local 306, on charges of coercion, have been postponed until Jan. 19. The hearing was set for last Tuesday, but Max Steuer, attorney for Kaplan, asked for a delay because he was busy on another case. Richard Gibbs, assistant district attorney, will argue the case.

(Continued from page 1)

unsuccessfully attempted to set a basic booth scale for the independent houses and meetings between the two organizations have been fruitless. Rosenblatt recently prevailed upon the I.A.T.S.E. to step in and settle the matter, but this medium also failed to bring about an accord. The matter was finally left for Rosenblatt to determine and today's meeting in all probability will settle the matter.

The I.T.O.A. yesterday postponed its regular meeting to attend a hearing before the local division of the NRA on code violation charges by Local 306. The hearing was postponed until tomorrow.

Labor Board Out of IATSE-IBEW Row

HOLLYWOOD, Jan. 3.—The National Labor Board in Washington has wired the local board here to have nothing to do with the I.A.T.S.E-I.B.E.W. controversy as a result of the groups' failure to present their jurisdictional dispute before the national board. The board emphasized it would not participate in any case where union jurisdictional issues were involved.

Certainty of putting an end to the jurisdictional fight which caused the studio strike several months ago is expected as a result of the voting Thursday and Friday by sound men. They will decide whether they will affiliate with the I.B.E.W. or the I.A.T.S.E. The balloting is being done under the supervision of NRA representatives.

Metzger Going Abroad

Having signed with Bryan Foy Prod. for the foreign rights to "Elysia," Lou Metzger plans to take a trip abroad next month in connection with the film. He leaves for Canada tomorrow and from there goes to Mexico City and then to San Diego where he operates a theatre.

Metzger says he will continue as an exhibitor in addition to handling this picture.

Rube Wolf Into Roxy

Rube Wolf goes into the Roxy as master of ceremonies starting Jan. 12. He was booked into the Paramount, Los Angeles, starting tomorrow, but Howard S. Cullman, receiver for the Roxy, prevailed on Mike Marco, operating the coast house, to cancel the booking. Wolf some time ago completed a 20-week engagement at the Fox, Brooklyn.

Jackson Joins "U"

Mike Jackson, author of "Whistle for Me" and a member of the M-G-M publicity department, leaves for the coast today to join the Universal editorial staff.

Sign Jeanette MacDonald

HOLLYWOOD, Jan. 3—Jeanette MacDonald has signed a new two-year contract with M-G-M. She will make three pictures a year.

Big Plans for Roach

HOLLYWOOD, Jan. 3.—Hal Roach is planning the most ambitious program of his career the coming season.

Recovery Act Fixed Policy, Congress Told

(Continued from page 1)

in carrying on the entire program of national recovery to its completion, and struck an optimistic note in references made to results already obtained and objectives still unrealized. He struck at "ruinous rivalries within industrial groups, which, in many cases," he said, "resemble the gang wars of the underworld and in which the real victim, in every case, is the public. We seek the definite end of preventing combinations in furtherance of monopoly and in restraint of trade," he said.

The recovery program, the President said, is designed to "save and encourage the slowly growing impulse among consumers to enter the industrial market place equipped with sufficient organization to insist upon fair prices and honest sales.

"In the past few months," Congress was told, "as a result of our action, we have demanded of many citizens that they surrender certain licenses to do as they pleased in their business relationships; but we have asked this in exchange for the protection which the State can give against exploitation by their fellow men or by combinations of their fellow men."

President Roosevelt first made public reference to perpetuation of the industrial recovery legislation in addressing an audience of his neighbors on the grounds of Vassar College at Poughkeepsie, N. Y., several months ago.

Anti-Walkathon Bill Wins in Iowa Senate

DES MOINES, Jan. 3—The anti-walkathon bill prohibiting dance marathons and similar endurance contests has been passed by the Iowa Senate, 36 votes to two. Iowa theatres were hard hit when the recent Des Moines walkathon drew $100,000 from this locality.

Pickford to Chicago

Mary Pickford is following her Paramount personal appearance with one at Chicago. She left yesterday. When this is over she will come back here for an appearance at the Brooklyn Paramount, and then will get ready for a stage play.

Emanuel West Jan. 12

PHILADELPHIA, Jan. 3.—Jay Emanuel, publisher of three regional trade papers, leaves for the coast Jan. 12. It is his first trek to Hollywood and he plans to be away about a month.

Max Milder Sails

Max Milder, manager director for Warners in England, has sailed for England on the *Manhattan*. He had been here for about a week for home office conferences.

Mancall to Majestic

Boone Mancall has succeeded Bert Ennis as director of advertising and publicity of Majestic. E. H. Goldstein, executive vice-president, named him to the post.

3 BIG FEATURES

HOLLYWOOD TELLS RAMSAYE

. . what it wants. Provided it knows what it wants. But at least Hollywood has a word for it—*curtailment!* This now supplants all previous slogans for a new order in the business. Its meaning? That is precisely what the Editor of Motion Picture Herald went after!

ANNUAL RANKING OF STARS

. . presenting the results of Motion Picture Herald's survey of the exhibition field to learn who were the *Ten Biggest Money Making Stars* of 1932-33. In addition to the Big Ten, many other players are rated in this poll of 12,000 exhibitors. Here are box office facts.

LABOR'S DEAL IN THE CODE

. . being the second chapter in Motion Picture Herald's *De-Coding the Code,* in which that fateful document is being rewritten analytically in the words and the meanings of the motion picture business. This installment concerns Labor in Distribution and Exhibition.

EXCLUSIVELY IN THIS WEEK'S

MOTION PICTURE

HERALD

OUT TODAY

Competition Keener, Says Laemmle, Jr.

(*Continued from page* 1)

pledged his entire resources to the creation of an unbroken succession of hits, the result of ample preparation of logical, entertaining stories, as well as the expenditure of unlimited time and patience.

"Only in this way can the industry take full advantage of the opportunities presented and assume its place at the head of the procession which is now about to lead the business of the nation back to a normal condition.

"During the doldrums of the past three years, with an altered outlook on the part of the people, producers have been able to form little idea of the wants of theatregoers.

"To a great degree the creators of screen entertainment have been shooting in the dark and trusting to luck to ring the bell. But with the return to a more normal trend of thought and a state of increased prosperity, desires can be more accurately gauged and satisfied.

"The past season has seen the production of many fine pictures; no competent observer will deny that. But there must be no disposition to rest on past laurels, or to be satisfied with accomplishments from which we can receive no further benefit. Novelty is the demand of today, and we must not be content to produce simply good pictures of a former mold. More than ever, imagination must enter into the preparation of stories, to the constant attainment of something new and different in screen entertainment.

"Competition among producers is keener than ever. This is the best thing that could possibly happen to advance quality of pictures."

FWC Fees Pruned To Property Value

(*Continued from page* 1)

aggregate sum of $100,000 divided three ways.

The law firm of Omelveny, Tuller and Myers asked for $43,950 on account, plus a weekly drawing account of $2,500 since July 29. McNabb offered $6,000 to each trustee on account, and $18,000 for the attorneys.

All refused, preferring to await a more tangible inventory and an approximate valuation of the properties. The case was postponed to Feb. 13.

Despite protests from T. L. Tally and L. B. George, minor claimants, demanding further investigation before considering the allotment of fees, McNabb declared he thought the trustees and attorneys were doing a good job of pulling the biggest bankruptcy fiasco into the light and beginning to show profits.

M. A. Marks to Head Marcy Productions

With M. A. Marks as president, Marcy Prod. has been formed to release "Public Stenographer," "The Big Race" and "The Moth." Nine others will be handled throughout the year.

Ethics Code Holds On Coast: Ruggles

If the production code of ethics has been laced more tightly with a new set of moral strings in order to meet code requirements and increasing clamor in critical quarters, Hollywood producers have not been advised of it, according to Wesley Ruggles, Paramount director, who, with his wife, Arline Judge, is spending a week here looking over the Broadway plays. Ruggles said yesterday that the production code of ethics as enforced by the M.P.P.D.A. studio relations office continues to be administered as before and constitutes the industry's only effort at self regulation of production.

Ruggles, who directed "I'm No Angel," will make three pictures for Paramount this year, one of which will be "Yonder Lies Jericho," a novel by Samuel L. Harris, which Paramount acquired for Ruggles recently and in which he expressed a keen interest yesterday. He described it as an "epic of Texas." His first assignment on returning to Hollywood next week will be on "Shoe the Wild Mare," a Gene Fowler story.

Ruggles said he was not aware of any studio's plans to reduce schedules to any unusual extent next season.

Warners to Aim at World-Wide Appeal

Warners will concentrate on pictures with a world-wide appeal to overcome the handicaps in the foreign market, declared Jack L. Warner, vice-president in charge of production, last night.

"Owing to the widespread interest in pictures abroad," he said, "we can no longer afford to produce pictures for American audiences. For that reason we have determined to exert every effort to produce entertainment with universal appeal."

Erpi Not to Slash Service Rates Here

(*Continued from page* 1)

tory is concerned, C. W. Bunn, Erpi general sales manager, said yesterday in commenting on reductions amounting to $1.30 per week placed in effect in the United Kingdom on Jan. 1. Bunn stated that while he was not familiar with the situation in England it was his impression that prevailing charges for servicing there had been higher than those in effect here.

Killed in Theatre Hold-up

LYNN, Mass., Jan. 3—Fred Sumner, billposter at the Paramount, was shot and killed; Harry Condon, engineer of the theatre, was seriously wounded and taken to Lynn Hospital; Leo Donahue, janitor, was clubbed over the head requiring hospital treatment, and 10 other employees were terrorized when three armed bandits entered the theatre and robbed the safe of $2,000.

LeRoys Sail Today

Mr. and Mrs. Mervyn LeRoy (Doris Warner) sail today on the *Empress of Britain* for a world cruise honeymoon.

Hammons Signs Keaton

HOLLYWOOD, Jan. 3—E. W. Hammons has signed Buster Keaton for Educational's star comedy series.

Coast B.O. Picks Up

Los Angeles, Jan. 3—Local theatres have recovered from the blow struck by the recent rain storm with remarkable attendances, with several first runs a complete sellout.

Federation Adopts Plan for Finances

(*Continued from page* 1)

organization's finance and executive committees held at the First Division offices. The plan is understood to call for an assessment on producer members of $5 per negative reel release, and on distributors one of $2.50 per positive reel release, with a $50 annual minimum in each case.

It was decided to establish organization headquarters at 723 Seventh Ave. and a committee will select an office location there today. Alec Moss, formerly with Preferred Pictures, was named executive secretary of the organization and will serve in a full-time capacity.

Establishment of codes of ethics for independent production and advertising will be initiated at a meeting of the Federation's committee on standards scheduled for either today or tomorrow at Monogram offices.

Set Date on Naming Of Realty Trustees

Despite strong opposition by counsel for Realty Associates Securities Corp., bankrupt, and attorneys for other bondholders, Referee in Bankruptcy Eugene F. O'Connor, Jr., yesterday in Brooklyn Federal Court agreed with the contention of Archibald Palmer, attorney for a minority bondholders' committee, and set Friday as the day for the election of bankrupt trustees of the corporation. Palmer asked for the election, citing the fact that last Saturday Federal Judge Marcus B. Campbell rejected a proposition offered by the corporation and that officers of the bankrupt and its affiliates have been indicted on charges of conspiracy to defraud bondholders, concealment of assets and use of the mails to defraud.

Judge Campbell, in rejecting the proposition, ruled the bankrupt could not offer to pay the fees of authorized bondholders' committees, but that the offer would have to be submitted to the referee of the bankrupt's creditors and, if agreed to by them, the referee was to submit to the court a modified or amended offer. Palmer contended liquidation was not for the best interests of the creditors and that, in view of the indictments made against officials of the corporation, the bankruptcy trustees must be elected.

Opposition was voiced by Alfred T. Davison, attorney for the bankrupt, and by former Judge William R. Bayes, attorney for another group of bondholders. "I am of the opinion," Referee O'Connor said, "that the election of trustees is imperative. The tenure of the receivers should be temporary. I will proceed with the election of the trustees on Friday, Jan. 5, at 2 P.M."

Herman Rifkin in Town

Herman Rifkin, Boston independent exchange man, is in town.

Dembow Given High Post in New Para. Co.

(*Continued from page* 1)

tive capacity than has been the case since S. A. Lynch re-entered the company as head of its theatre reorganization committee. Rumors had been persistent, on and off for months, that Dembow might take over Publix's upper New York State houses on his own, thereby removing him entirely from activity in the home office.

In addition to the election yesterday of Kohn as president of Paramount Theatres Service Corp. and Dembow as vice-president, Y. Frank Freeman, formerly of the Paramount real estate department, was also elected a vice-president, Walter B. Cokell was elected treasurer and J. D. Van Wagoner secretary. Dembow will supervise contacts with the field pertaining to actual theatre operations and will maintain contacts with distributing companies and will have charge of booking of stage attractions for Paramount houses wherever these are done by New York. Freeman will supervise contacts with the field in matters pertaining to leases, real estate, pooling agreements, fixed charges, insurance, purchasing, maintenance and building operation.

Just prior to the election, stockholders of Theatre Management Co. met and changed the name of the company to Paramount Theatres Service Corp. Kohn explained that the change of name was made in order to avoid misunderstanding of its purposes, which are strictly of a service nature to assist managers in the field, it was said.

"In view of the fact that Paramount's present management is definitely committed to the decentralized plan of theatre operation, it was felt that the name, Theatre Management Co., was a misnomer," Kohn said.

Zukor to Coast Soon

Adolph Zukor plans to leave for the coast within the next two weeks on his annual trip to the Paramount studios. Bob Gillham expects to trek west in about a week.

Paramount Holds Lead

Paramount holds its lead in the film bowling league despite the fact that Fox won, two games out of three, this week. Next Tuesday Fox will meet RKO.

Miskell to Coast Soon

William Miskell, formerly with the Paramount in Omaha, and now handling publicity for the Eighth Ave. theatres for Consolidated Amusements, has left for the Coast to join F. W. C.

Dissolve Publix Unit

DOVER, Jan. 3—Publix National Corp. was dissolved here today with the consent of the stockholders.

"Zenda" to Be Musical

HOLLYWOOD, Jan. 3.—M-G-M plans to remake "The Prisoner of Zenda" as a musical with Ramon Novarro.

"Alice" Gets Big $23,785 On the Coast

Los Angeles, Jan. 3.—Christmas week stirred up quite a run of business hereabouts. "Alice in Wonderland" at the Paramount reached $23,785, nearly $6,000 over normal.

"Little Women" took $15,466 in its first five days at Grauman's Chinese and "Roman Scandals" broke the United Artists' opening day record with $3,349. "Waltz Time" was good for $2,700 at the Filmarte and "I Am Suzanne" garnered $3,500 at the 4 Star.

Total first run business was $89,043. Average without the 4 Star is $101,950.

Estimated takings for the week ending Dec. 27:

"LITTLE WOMEN" (Radio)
CHINESE—(2,500), 50c-$1.65, 5 days. Sid Grauman prologue. **Gross:** $15,466. (Average, $14,000.)

"ELYSIA" (Foy)
CRITERION—(1,610), 25c-40c, 5th week, 7 days. **Gross:** $3,942. (Average, $2,800.)

"WALTZ TIME" (Gaumont-British)
FILMARTE—(800), 40c-50c, 7 days. **Gross:** $2,700. (Average, $2,650.)

"I AM SUZANNE" (Fox)
4 STAR—(900), 50c-75c, 5 days. **Gross:** $3,500.

"MR. SKITCH" (Fox)
LOEW'S STATE—(2,413), 25c-40c, 7 days. **Gross:** $13,500. (Average, $14,000.)

"FOG" (Col.)
"IN THE MONEY" (Chesterfield)
LOS ANGELES—(3,000), 15c-25c, 7 days. **Gross:** $4,200. (Average, $3,700.)

"ALICE IN WONDERLAND" (Para.)
PARAMOUNT—(3,595), 25c-40c, 7 days. Georgie Stoll and his orchestra. **Gross:** $23,785. (Average, $18,000.)

"THE SON OF KONG" (Radio)
RKO—(2,700), 25c-40c, 7 days. **Gross:** $4,900. (Average, $8,000.)

"PRIVATE LIFE OF HENRY VIII" (U. A.)
UNITED ARTISTS—(2,100), 25c-40c, 4th week, 4 days. **Gross:** $4,850. (Average, $12,800.)

"LADY KILLER" (Warners)
WARNER BROS. (Hollywood)—(3,000), 25c-40c, 7 days. **Gross:** $11,000. (Average, $14,000.)

"LADY KILLER" (Warners)
WARNER BROS. (Downtown)—(3,400), 25c-40c, 7 days. **Gross:** $12,000. (Average, $12,000.)

E. A. Dunlop, Censor In Ontario, Is Dead

Toronto, Jan. 3.—E. A. Dunlop, Ontario provincial treasurer, who had charge of licensing theatres and operators, amusement tax collection and film censoring, is dead here.

Conjecture is already stirring as to his successor and possible changes in policy. One change discussed is a transfer of censorship to the Department of Education, a worry for exchanges which fear the move would result in more strict regulations.

Hamm, Jr., Marries

St. Paul, Jan. 3.—William Hamm, Jr., is a benedict and the bride is Mrs. Marie Hersey Carroll of this city.

Hamm is a member of the wealthy brewing family which originally backed the old Finkelstein and Ruben circuit, later purchased by Publix.

Friedland New Boss

Paris, Jan. 3.—Max Friedland, Continental European manager for Universal, is handling the company's French business. Max Laemmle, formerly in charge here, has resigned.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"The Poor Rich"

(*Universal*)

Hollywood, Jan. 3.—Taking the idea of the once rich, now the new poor trying to put up a front, Universal has produced a comedy that gathers laughs all the way.

Making no pretense at smartness or sophistication, the giggles are down to earth, rich and broad, with special appeal to the masses who might get some vicarious satisfaction at seeing the classes in the well-known predicament of "no money" making the best of it and blundering quite humanly.

Two cousins, Edward Everett Horton and Edna Mae Oliver, return to the Spottiswood ancestral home untenanted for years. They confess all to each other. They are broke. They press a house to house sales girl, Leila Hyams, into service as a maid. The baggage boy, Andy Devine, takes over the kitchen. Deputy Sheriff, Grant Mitchell, becomes the butler.

Thus set, the Spottiswoods await the arrival of Lord and Lady Featherstone (E. E. Clive and Una O'Connor) with their daughter, Thelma Todd. The Featherstones are assumed to be rich. The unexpected appearance of Abdul (John Miljan) come to shake down Edna Mae, sets things spinning.

With dinner being served all screwy, an enraged farmer arrives to locate his prize goose alive—dead, cooked, or fried. This sequence is a rolling wave of laughter. A near murder, a funny nut detective (Eddie Brophy) and a surprise climax the story with a series of howls.

Director Edward Sedgwick squeezes every cackle out of the situations which have the timely slant.

"As Husbands Go"

(*Fox*)

Hollywood, Jan. 3.—Based on the play by Rachel Crothers and produced by John Golden, Jesse L. Lasky's filmization measures up to the satisfying entertainment qualities of the stage version. G. P. Huntley, Jr., looks like a comer. He does exceedingly well with a difficult role. Helen Vinson also will bear watching. She has plenty of charm and can act.

Vacationing in Paris with her aunt, Catherine Doucet, Miss Vinson falls in love with Huntley, a poet, author and writer, while Miss Doucet endears herself to Warner Oland. Before Miss Vinson leaves Paris she promises her new-found love she will ask her husband for a divorce. Miss Doucet brings her lover with her.

When Warner Baxter's wife arrives, she finds her husband has been missing her to such an extent he had brought his nephew, Jay Ward, into the household for companionship. Miss Vinson can't summon the courage to tell her husband and, after three weeks has passed, Huntley comes over. This complicates matters for Miss Vinson, but Miss Doucet makes it appear that the new arrival has also been courting her. Eleanor Lynn, the dowager's daughter, resents the whole affair, especially Oland, who is rather frank in admitting he is after her mother's money, in addition to companionship.

Baxter takes his rival on a fishing trip and, after a drinking session the two become fast friends; so much so that Huntley the next day goes back to Paris without Miss Vinson. He leaves a note behind stating he cannot hurt his pal, who loves his wife more than anything in the world.

"Woman Spy"

(*Universal*)

Hollywood, Jan. 3.—Universal here has atempted the formula spy story. Opening in the air, the spy is shot down and taken to an enemy hospital. An army nurse in the employ of the opposition marries him in order to get his secrets. After securing her information first hand in their home where the husband's superior and other spies congregate, she finds herself in love with her husband. In a spot, she influences the killing of the enemy's secret service chief and escapes back to her own country.

The husband now invades the wife's homeland as a common spy and meets the wife at the enemy's embassy ball. With a trap set for the secret service men to arrest husband, the wife learns that the husband did not instigate her brother's murder. She helps the spouse escape and is wounded herself. All ends happily on a hospital train where it began.

The picture has nice sets and nice photography. Fay Wray and Nils Asther have the main roles. Edwin Arnold, John Miljan and Vince Barnett support them. Karl Freund directed.

Miss Krellberg with D. A.

District Attorney William C. Dodge has appointed Florence Krellberg, formerly secretary to the Amusement Securities Corp., as his confidential secretary.

He also has announced appointment of James M. Fitzsimmons of Krellberg & Fitzsimmons, attorneys for various picture corporations, as assistant district attorney attached to the Homicide Bureau.

Williams Excites Fox

Hollywood, Jan. 3.—Fox executives are so excited over possibilities of Hugh Williams, young London actor recently signed, that they have assigned him the biggest male role on the lot. He will play the lead in "All Men Are Enemies," "ace" special. George Fitzmaurice will direct.

Warners Sign Cortez

Hollywood, Jan. 3.—Ricardo Cortez has been signed by Warners for the co-starring role with Bette Davis in "Hit Me Again." Robert Florey gets the director assignment.

F. Hugh Herbert wrote the story. Production gets under way this week.

To Induct N. Y. Board

Induction of Henry Randel as president of the New York Film Board takes place either Jan. 10 or Jan. 12. The proceedings will be held at the M. P. Club and will be followed by a visit to the Winter Garden to see "Ziegfeld Follies."

Warner Staff Changes

Hollywood, Jan. 3.—Robert Burkhardt has resigned from the Warner publicity department and Don Carlson is newest addition to the staff, which now ranks as the smallest among the majors.

Expect Brandt Reelection

Harry Brandt is slated to be re-elected president of the I.T.O.A. at the annual election Feb. 7. There is no opposition ticket and the entire administration will, in all probability, continue for another year.

Cohen Delayed on Coast

Although expected back from the coast this week, Louis Cohen, realtor, is delaying his return for a month. He is busy on several theatre deals for F. & M.

More Portland Duals

Portland, Jan. 3.—Double features have gone into Parker's Broadway and United Artists. This leaves Hamrick's Music Box the only single feature downtown house.

New Company Formed

Fairhaven Prod., Ltd., with production to be centered in the East, has been formed. H. H. Rogers, Jr., is elected president, with William Alexander vice-president.

Young Lasky Improving

Hollywood, Jan. 3.—Jesse Lasky, Jr., son of the producer, is recovering from an emergency appendicitis operation performed Christmas Day.


LET'S FALL IN LOVE
A MUSICAL ROMANCE OF TWO HEARTS IN LOVE TIME
with EDMUND LOWE
Ann Sothern—Miriam Jordan
Gregory Ratoff
Story and screen play by Herbert Fields
Music and lyrics by Harold Arlen and Ted Koehler
Directed by David Burton
A COLUMBIA PICTURE
COLUMBIA PICTURES

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 35. NO. 4 NEW YORK, FRIDAY, JANUARY 5, 1934 TEN CENTS

Last Code Signing Date Made Midnight, Jan. 31

CODE OF FAIR COMPETITION FOR THE MOTION PICTURE INDUSTRY

The undersigned hereby approves, adopts and assents to the Code of Fair Competition for the Motion Picture Industry as approved by the President on November 27, 1933.

Signed this____day of_____, 193 , at_____, _____
(Town or City) (State)

_____ (Seal)
(Name of Individual or Corporation)

Check One — Producer . . . . . ☐ Distributor . . . . . ☐ Exhibitor . . . . . ☐

Answer the First and the Appropriate Remaining Question

(1) State business address:_____, _____, _____
(Street) (City) (State)

(2) If exhibitor state name and location of theatre_____ and seating capacity_____

(3) If distributor state name and address of exchange_____

(4) If producer state name of brand of pictures_____

This Assent Is Invalid if Qualified.

After signature return to "CODE AUTHORITY MOTION PICTURE INDUSTRY" in the enclosed envelope.

Official form assenting signatures on the code. The form, approved yesterday by Code Authority, will be mailed out beginning today—20,000 of them. Of this total, 13,500 will go to theatres, this figure representing Code Authority's estimate on houses in operation currently. The remaining 6,500 will go to producers, distributors, exhibitor units and any others who desire to qualify under the code. Acceptances must be in the mail by midnight, Jan. 31.

Extension Agreed Upon By Authority at 2nd Session

Midnight, Jan. 31, was set as the new time limit when all code assents must be mailed to the Code Authority in order to qualify under the code, the body decided yesterday at the second session.

This gives the industry three weeks' additional time from the original prescribed date. That at least two weeks' extension from Jan. 10, the original date, would be granted, was exclusively forecast in MOTION PICTURE DAILY yesterday.

It was also decided that midnight Jan. 20 would be the last day on which recommendations by anyone in the industry may suggest nominations for the 32 clearance and zoning and 32 grievance boards. Only those signing the compliance forms will be considered for the posts, it was stated.

Headquarters will be established in the RKO building, it was decided, with the 19th and 23rd floors under consideration. In all probability it will be the latter choice. The headquarters will be set up within the next two weeks and Division Administrator Sol A. Rosenblatt will have an office of his own. John Flinn, whose appointment as executive secretary was affirmed yesterday, will have a private office and there will be a special room for the hearing of appeals. The Code Authority will hold its sessions there.

Ed Kuykendall, president of the M.P.T.O.A., and a member of Code Authority, yesterday was unanimously approved by the body as the sixth member of the committee on selections for the various clearance and zoning and grievance boards. The move was decided upon because of

(*Continued on page 4*)

Para. Seeks Closer Field Contact Plan

Service Heads, Partners To Meet in Atlanta

A tie-in plan designed to bring various Paramount theatre partners into closer contact with the home office will get under way in Atlanta on Tuesday when Ralph Kohn, president of the newly formed Paramount Thetres Service Corp.; Sam Dembow, Jr., and Y. Frank Freeman, vice-presidents of the company, will confer with Robert Wilby, E. V. Richards, Jr., Arthur Lucas, William Jenkins and Mike Kincey.

This will be the first step to follow on the heels of organization of Paramount Theatres Service Corp., which

(*Continued on page 6*)

Los Angeles Passes Ban on Tango Games

LOS ANGELES, Jan. 4.—After a fight of several months, an ordinance to prohibit "Tango" parlors has been passed. This means a loss of more than $250,000 annually in license taxes to the city, but a saving of several million to the patrons.

Pressure was brought to bear by exhibitors to oust the "Tango Game"

(*Continued on page 4*)

"U" Moving Soon to Rockefeller Center

Universal's home offices will be moved the latter part of March to the 10th, 11th and 12th floors of the RCA Building in Rockefeller Center. All of these floors and lobbies are to

(*Continued on page 14*)

"Prosperity Gaining A Foothold": Neilan

Prosperity has gained a foothold, thinks Marshall Neilan, president of Associated Film Producers Corp. newly-formed company. He says: "There is an old axiom, 'Coming

(*Continued on page 4*)

New Year Thought

"A person doesn't have to be crazy to be in the motion picture business," remarked an industry executive yesterday, "but it helps a lot," he observed.

ITOA-Union To Talk Wage Scales Today

Determination of a basic wage scale for operators in Greater New York independent theatres appeared closer to solution late yesterday when arrangements were made for a committee of 10, five each representing the I.T.O.A. and Local 306, to meet this afternoon at 5 o'clock in another effort to solve the riddle which has

(*Continued on page 14*)

Decision Upon Code Expense Is Postponed

A method of apportioning within the industry the costs of administration of the code will be held in abeyance by the Code Authority until an accurate estimate of what the costs will be has been arrived at, it was learned yesterday. Present estimates of the cost to the industry of code administration vary as much as a quarter of a mil-

(*Continued on page 4*)

Official

Recognition of the trade press as the official medium through which Code Authority will make announcements to the industry was made yesterday at the second session of the body.

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Advertising Manager

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Subscription rates per year: $6 in the Americas, except Canada $15 and foreign $12. Single copies: 10 cents.

Photophone Brochure

RCA Victor's advertising department at Camden has turned out a striking 15½ x 12 inch brochure on "High Fidelity" Photophone done in silver, old rose, blue and black, with a classic head in a raised silver effect on the cover.

The inside is in yellow, red and black with other color effects and most of the type display is modernistic. Some pages are done in old rose background with letters from Photophone users. There is a chart showing the sound range of Photophone for various instruments, mechanical drawings and a press sheet for theatres with new installations. Designed for use of the sales force.

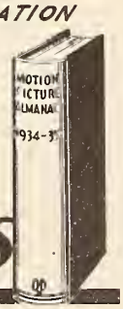
MOTION PICTURE ALMANAC

1934-35

NOW IN PREPARATION

WHERE THE WORLD LOOKS FOR MOTION PICTURE facts

PRICE $5.00



Purely Personal

H. L. WOODWARD, research chemist, is working with his brother, STACY, the biologist, on Educational's "Battle for Life" series. He will leave soon for British Guiana, Panama and South America for material for the next subject.

FRANCES MARION has been engaged to write the vehicle in which MARY PICKFORD will return to the legitimate stage. MISS PICKFORD may collaborate with her. The production will be sponsored by MAX GORDON.

S. CHARLES EINFELD and CARL LESERMAN shove off for Dallas Monday to address a meeting of Hoblitzelle theatre managers on ways and means of exploiting Warner product.

SAM E. MORRIS, Warner vice-president, and GEORGE BROWN, publicity and advertising director for Columbia, will be on the arrangements committee of the President's birthday ball.

ORRY-KELLY, Warners' studio stylist, is coming east in a few days for conferences with KAY FRANCIS on the costumes for "Madame Du Barry."

CHARLES D. HILLES is expected to be able to leave Doctors' Hospital within the next day or two, following an attack of pneumonia.

AL SELIG has completed a book based on a day-by-day diary he kept as a newspaper reporter, and it is now in the hands of a well known publisher.

JOAN WHEELER, Broadway ingenue, has been snared by Warners to support ALINE MACMAHON in "Fur Coats."

SAM WARSHAWSKY'S "The Woman of Destiny" is to be presented by the Syracuse Civic Repertory Theatre starting Jan. 29.

MABEL JAFFEE, former secretary to AL LEWIS, is now secretarying for FRANK UNDERWOOD, scenario editor for 20th Century.

SI SEADLER is all pepped up over "Fugitive Lovers" and is planning a cross country campaign for the bus film.

HELEN LOWELL, stage player, has been signed by Warners and will leave for the coast soon.

ROY FLANAGAN and EULALIE SPENCE have sold "Ready for Love" to Paramount.

IKE LIBSON is in town and had lunch with AL LICHTMAN yesterday at the Tavern.

LEIGH JASON has been given a long-term directorial contract by HAL ROACH.

BEN BERK is here from the coast for a 10-day visit.

STAN SHUFORD is in Florida on a well-earned vacation.

GRAD SEARS is heading for a Florida vacation.

HARRY COHN is at the Waldorf, as usual.

BEN ATWELL has returned from Bermuda.

VAL LEWTON resumes his radio work for Hecker's flour on Feb. 1.

CHRISTINE AME'S "The Human Side" will be filmed by Universal.

Asher Sails Today

Irving Asher, in charge of production at the Warner studios in England, who has been in this country for conferences with Jack L. Warner, sails for home today aboard the *Mauretania*.

Warner Ball Jan. 20

The annual ball of the Warner Club is set for the Waldorf on Jan. 20.

Shapiro After Chevalier

Jack Shapiro is seeking Maurice Chevalier for the lead in "White Horse Inn," which will be produced by Leo Singer and which will open at the Casino theatre.

Krellberg to Coast

S. S. Krellberg leaves for Hollywood today in connection with production financing. It will be an extended stay.

Eastman Kodak Off ¾

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	24	24	24	.....	100
Consolidated Film Industries, pfd	10⅝	10¼	10⅝	.....	1,400
Eastman Kodak	80¼	79	80¼	— ¾	1,300
Fox Film "A"	13¼	12¾	12¾	+ ⅛	300
Loew's, Inc.	28	27	27½	— ⅝	3,200
Paramount, cts	2	1⅞	1⅞	— ⅛	1,200
Pathe Exchange	1⅝	1½	1½	— ¼	300
Pathe Exchange "A"	11⅜	10½	11⅜	+ ⅝	1,100
RKO	2½	2⅜	2½	.....	1,000
Warner Bros.	5⅛	5	5⅛	.....	1,500

Trans Lux Rises Half Point

	High	Low	Close	Net Change	Sales
Technicolor	8⅞	8⅞	8⅞	— ⅛	100
Trans Lux	2¾	2½	2¾	+ ½	700

Paramount Publix Loses 1⅞

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40, ctf	3	3	3	s7	2
Loew's 6s '41, ww deb rights	86	86	86	.....	2
Paramount Broadway 5½s '51	31	31	31	+1	30
Paramount F. L. 6s '47	29½	29½	29½	—1⅜	2
Paramount Publix 5½s '50	30	29	29	—1⅞	11
Warner Bros. 6s '39, wd	41⅛	40⅞	41	— ½	21

Spot News from Columbia



When you laugh at the antics of "SCRAPPY"—the world laughs with you. Here's a one reel cartoon comic known and enjoyed from Pole to Pole and everywhere else that English is spoken!



Everyone will be singing the hit songs from "LET'S FALL IN LOVE," gay musical romance featuring Edmund Lowe, Ann Sothern, Miriam Jordan and Gregory Ratoff.

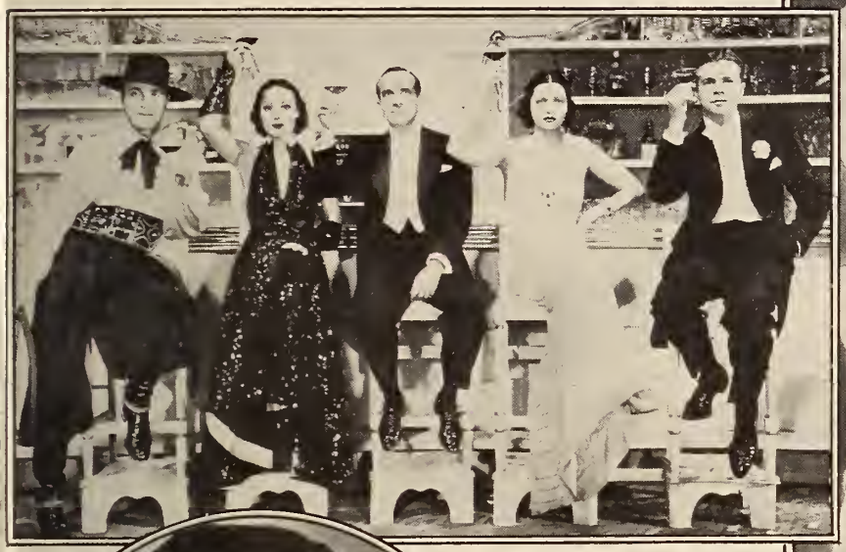


Donald Cook, Mary Brian and Reginald Denny seek the romance in this mystery and also the mystery in this romance known as "FOG", which thrilled two and a half million Saturday Evening Post readers.



"ONCE TO EVERY WOMAN." What a box-office title! Ralph Bellamy, Fay Wray and Walter Connolly head the cast of this picturization of A. J. Cronin's famous Cosmopolitan Magazine story.

NEWS OF THE WEEK IN PHOTO-REVIEW







100 ROADSHOW BOOKINGS set for February in pre-release rush for Warner Bros.' star-spangled novelty spectacle, 'Wonder Bar.'°

BUZ BERKELEY TO DIRECT 'DAMES.' Chorus and ensemble glorifier wins first full directorship in next Warner musical after 'Wonder Bar.'



WARNERS BEST AGAIN! W. B. named only company with two of year's top record-breakers in world-wide *Variety* survey.



A NEW STYLE in extravaganzas is 'Fashions of 1934', coming Warner Bros. gal-and-gown musical special.°



LEROY LEADS *Variety* list of top box-office directors for 1933 as Muni's 'Hi, Nellie,' his newest, is scheduled for immediate release.*

'A NEW PEAK in Cagney's career'—'registers heavily,' laud *N. Y. World-Telegram* and *Sun* as 'Lady Killer' goes into holdover week at Strand.*

*A Warner Bros. Picture °A First National Picture Vitagraph, Inc., Distributors

Midnight of Jan. 31 Is Last Signing Date

(*Continued from page* 1)

Kuykendall's knowledge of the exhibition field.

The rest of the committee consists of S. R. Kent, Charles L. O'Reilly, George J. Schaefer, W. Ray Johnston and Nathan Yamins.

Yesterday's session was adjourned until 7 P. M. next Wednesday, when the Authority will meet in the Warner Bldg. on West 44th St. The adjournment was taken because of the various committee matters which remained unsettled at the close of the session. Among those are the committee on rules, finances and headquarters. Kent, who presided at yesterday's session, will resume the chair on Jan. 10, when the next chairman in the rotating plan will be announced.

M. H. Aylesworth did not show up and had no alternate present. He was detained at a directors' meeting at RKO. Eddie Cantor, who was rehearsing for his engagement at the Brooklyn Paramount, and Marie Dressler likewise did not attend. J. Robert Rubin substituted for Nicholas M. Schenck, who is ill. Harold S. Bareford attended in addition to H. M. Warner.

Five permanent alternates were named: W. C. Michel will alternate for Kent, Austin Keough for George J. Schaefer, Bareford for Warner, Jack Cohn for R. H. Cochrane, and Rubin for Schenck. The other Authority members may name their substitutes at the next session.

Forms of assent to the code were approved yesterday and the first batch of the 20,000 will go out today, 13,500 of which will go to theatres, exhibitor units, producers and distributors.

Rosenblatt left for Washington after the meeting and said he plans to go to the coast at the end of the month to acquaint himself with certain production matters.

Loew's 100 Per Cent Behind Code: Schiller

Approximately 100 managers and asistant managers of Loew theatres in the metropolitan area were told the circuit was 100 per cent behind the code and that "no chiseling will be tolerated" by E. A. Schiller at a meeting which began at the Astor Theatre at midnight Wednesday and terminated early yesterday morning.

Schiller spoke for about one hour and a half analyzing the code and laid stress on the clause which bars subsequent runs from advertising prior to seven days before expiration of a previous run.

Discuss Code at MPPDA

Attorneys for member M.P.P.D.A. companies met at the Hays office yesterday for discussion and interpretation of the code.

Bank Shutdown Perturbs

Failure of the Huguenot Trust Co. of New Rochelle to open its doors Wednesday is proving disturbing to a number of film men who bank there.

NRA Pleased

Commenting on the reaction of the industry on the code, Division Administrator Sol A. Rosenblatt yesterday stated he is "getting splendid cooperation from every branch of the industry."

"I can't praise the results too highly," he said following a meeting of the Code Authority.

Cole Holds NRA Is Exhibitor "Blessing"

By H. A. COLE

President, Allied of Texas

DALLAS, Jan. 4.—NRA has brought us the blessing of a fair degree of prosperity during the last few months so that Christmas this year was something like a real Christmas for the exhibitors in this part of the country.

Whether or not it is going to offset the good we have received so far through the general prosperity of the country, by making the lot of the independent exhibitor unbearable during the coming year, it is hard to say.

While I realize the danger to independent exhibitors, I am still not at all discouraged, because I am old fashioned enough to believe in some of the old maxims like "Right will prevail" and "Honesty is the best policy" and maybe there is a Santa Claus after all! Anyhow, here's hoping!

Prosperity Gaining A Foothold: Neilan

(*Continued from page* 1)

events cast their shadows before them', which I think can be applied to the outlook of the industry for 1934. A diversity of opinion regarding the effects of the code authority has not dampened the general spirit of optimism which seems to prevail in all branches of the business and such confidence must be warranted.

"From reports on all sides it would seem that prosperity has at last gained a foothold throughout the nation and with an added impetus as the weeks go on the motion picture theatres should reap the benefits of increased attendance—provided of course that we in and of the industry do our utmost to provide the theatre loving public with a superior grade of entertainment.

"It was this conviction that prompted my return to independent production activities and as the new year of 1934 starts I have a sincere feeling of confidence that the trend of motion picture prosperity is definitely upward."

Stoll Profit $406.45

LONDON, Jan. 4.—Profits of Stoll Theatres Corp. for the year ending Sept. 30 were $406.45. This compares with a net of $87,917 for 1932.

The amusement tax, known in this country as the entertainment duty, is blamed in the company report. Stoll theatres point out that the tax hits stage shows much more heavily than films and say no profits can be expected until the tax is changed.

Legitimate Theatre Code Change on Way

Proposed changes in the legitimate theatre code will be heard at a special meeting in Washington shortly, Division Administrator Sol A. Rosenblatt stated yesterday. On Tuesday he attended a meeting of theatre men at the League of New York Theatres at which changes were proposed. The date for the hearing has not been set, Rosenblatt stated.

The division administrator returns to New York next Wednesday for three meetings on amusement codes. In the morning he will attend the hearing on the burlesque code, in the afternoon he will be present at the legitimate theatre session and at 7 P. M. he will sit in on the adjourned session of the Code Authority of the film industry.

Sirovich Uncertain He'll Push Quiz Now

WASHINGTON, Jan. 4.—No decision has yet been reached by Representative Sirovich of New York as to whether he will prosecute his investigation of the film industry this session. A resolution providing for an investigation of financial, operative and business irregularities and illegal actions by interests inside and outside the industry was introduced by him last spring.

Many of the actions which would be investigated under the Sirovich resolution were brought to light by the Senate committee which this fall investigated Wall Street activities, and some of the practices complained of are covered by the code. A study of these factors will be made by the Congressman before he determines what action shall be taken with respect to his proposed investigation.

Show More Soviet Film

Third of a series of showings on "The History of the Soviet Film" will be held tomorrow night at the New School for Social Research, 66 West 12th St. under the auspices of the Film and Photo League.

Court Allows Stock Sale

NEW ORLEANS, Jan. 4.—Kennington-Saenger Theatres, Inc., at Jackson, Miss., in which Saenger owns 50 per cent, has been granted permission by U. S. Judge Wayne Borah to dispose of 150 shares to R. E. Kennington.

Quota Law Skips Films

WASHINGTON, Jan. 4.—Films are not affected by the forthcoming application of new French quota laws placing restrictions on 134 new products which never had been subject to import quotas before.

Jewels to Reliable

Reliable Film Export will distribute in all foreign markets entire output of Jewel Prod., first two of which are "Forgotten Men" and "The Jungle Killer."

Warners Sign Gibson

HOLLYWOOD, Jan. 4.—Hoot Gibson has been signed to star in "Cowboy in London" which Warners will make in the London studio.

Decision Upon Code Expense Is Postponed

(*Continued from page* 1)

lion dollars, ranging from $400,000 to $650,000 per year.

Chiefly responsible for the wide differences in the estimates are such major cost factors, as yet undetermined, as whether or not the members of local grievance and clearance and zoning boards who are not members of the industry will serve without remuneration or whether they will be paid; also whether one secretary will serve for both grievance and clearance and zoning boards, or whether two will have to be employed in each key city, and, finally, whether the local boards will pay rent on offices of their own or utilize Film Board of Trade quarters in each key city.

It was pointed out that the type of impartial member desired for the local code boards probably might require a sizeable remuneration. The code provides for one such member on each of the 32 grievance boards and each of the 32 clearance and zoning boards. Locally eminent attorneys and even jurists have been recommended for these posts in a number of situations, it was learned. If one secretary is found sufficient for both local boards in the 32 keys, their cost will be half what it would tally if a secretary is required for both of the local boards, it was pointed out.

One observer also offered the opinion that if the local code boards were to use Film Board of Trade quarters they would probably be made available either without cost or at a charge much less than it would cost to maintain separate quarters which the local boards might utilize only three or four times a month.

Until these undetermined cost factors have been settled upon, the complete cost of code administration cannot be gauged, and until it has been a method of taxing the industry to bear such cost is not likely to materialize, it was said.

Los Angeles Passes Ban on Tango Games

(*Continued from page* 1)

menace, but the stoppage is expected to be a boon to all phases of the show business.

This game had become so gripping that the parlors did a land office business. Chairs were filled from early hours of the afternoon until the wee small hours of the morning. Housewives spent their afternoons playing the cards and spending the family budget, while at night the masculine speculator with their wives and sweethearts filled the parlors until their last dime was spent.

Reeves on Dubbing Job

Reeves Sound Studios is dubbing the French "Three Lucky Fools," starring Tito Schipa, and will release it shortly.

Signs Dorothy Wilson

HOLLYWOOD, Jan. 4.—Dorothy Wilson has been signed to a seven-year contract by Charles R. Rogers.


EXTRA! Read all about the Box-office SCANDALS!
THE Hollywood REPORTER
TODAY
Thursday, December 28, 1933
N SCANDALS' SMASH IN N.Y.
Goldwyn Picture Playing To Standing Room With $53,000 Gross; Other Shows Suffering
New York.—Sam Goldwyn is smacking New York right in the pan with "Roman Scandals" at the Rivoli, the house playing to absolute standing room for the first time in over two years. The first week's gross will run between $52,500 and $53,500. an amount that is an oddity for that theatre.
And "Roman Scandals" is the only picture doing any business on the street
United Artists, encouraged by the New York reception of the picture
is flooding the field with advertising and exploitation men, helping exhibitors with their ticket sales in the principal spots throughout the country
The United Artists office here is of the opinion that this Cantor picture will show a greater gross than any other and that's giving due consideration to the present depression and what the condition of the country was at the time of the release of the other Cantor-Goldwyn pictures. Al Lichtman has made it clear to every exhibitor that the entire U.A. organization stands ready and willing to offer any assistance in selling this piece of entertainment to the public.
The U.A. crowd is also giving the gun to the Twentieth Century production of "Gallant Lady" and expects this picture to reach a new high for the already
of pictures

"Alice" Gets Big Play in Denver Start

DENVER, Jan. 4.—Christmas Eve apparently meant nothing to the folks who wanted to see "Alice in Wonderland" and "Mr. Skitch." "Alice" packed them in Sunday, Monday and Tuesday, the last days of the Denham week and will be held at least 10 days. The film was started on Sunday after "Tillie and Gus" had been pulled after four days at only fair business. The gross was $5,500. "Mr. Skitch" did the expected at the Orpheum, packing that house time after time, with holdouts at most every matinee and night, with the overflow on Christmas day filling the lobby and overflowing to the sidewalk.

Total first run business was $36,000. Average is $28,750.

Estimated takings for the week ending Dec. 28:

"SON OF A SAILOR" (F. N.)
ALADDIN—(1,500), 25c-40c, 7 days. **Gross:** $3,500. (Average, $3,500.)

"TILLIE AND GUS" (Para.)
DENHAM—(1,500), 25c-30c-40c, 4 days. **Gross:** $2,500.

"ALICE IN WONDERLAND" (Para.)
DENHAM—(1,500), 25c-30c-40c, 3 days. **Gross:** $5,500. (Average for week, $7,000.)

"MAN'S CASTLE" (Col.)
DENVER—(2,500), 25c-35c-50c, 7 days. Ted Mack with stage show. **Gross:** $7,000. (Average, $5,500.)

"MR. SKITCH" (Fox)
ORPHEUM—(2,600), 25c-35c-40c, 7 days. Fred Schmitt with stage show. **Gross:** $16,000. (Average, $10,000.)

"HORSE PLAY" (Univ.)
PARAMOUNT—(2,000), 25c-40c, 3 days. **Gross:** $900.

"SMOKY" (Fox)
PARAMOUNT—(2,000), 25c-40c, 4 days. **Gross:** $1,600. (Average for week, $2,750.)

Salt Lake Orpheum Receivership Ended

SALT LAKE CITY, Jan. 4.—As a result of an agreement among lease disputants District Judge Thurman has terminated the Orpheum receivership which began Aug. 24 and involved Alexander Pantages, the RKO Western Corp. and RKO San Francisco Co.

During the receivership the lease was transferred to Marco Wolf, who will not pay rent to the W. H. McIntyre Co., owners.

"Laughing Boy" Halted

HOLLYWOOD, Jan. 4.—M-G-M has temporarily halted production on "Laughing Boy" pending final decision on what should be added to the films and what should be taken out.

The studio stopped work on the picture within one or two days of completion and plans to send it back to the cameras this week.

Hal Roach to Rush 24

HOLLYWOOD, Jan. 4.—Hal Roach's production plans during the next six months call for 24 shorts, two features and a "Toyland" special in six months. The shorts include three Todd-Kellys, four Charlie Chases, four "Our Gangs," four all-star, three with music.

Indiana Splits Weeks

INDIANAPOLIS, Jan. 4.—The Indiana, Monarch's ace house here, goes to a split week policy today.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Nana"

(United Artists)

HOLLYWOOD, Jan. 4.—Samuel Goldwyn has plucked a personality out of nowhere, endowed her with glamour, surrounded her with an aura of mystery and launched her handsomely in her first film—a new star, Anna Sten. Goldwyn has done right by her.

Miss Sten has a haunting beauty. Her eyes express. Her body is lissome. She has distinctive charm and talent. She is provocative. She will stir discussion. With meticulous care, Goldwyn for her first film has ensconced her in a colorful setting of the France of 1868. As a slavey Nana proclaims her creed: "I will not be poor. I will not slave. I will be rich. I will be famous." As a gilded fly of the pavements she attracts the attention of Paris' greatest producer, becomes a stage rage overnight, neglects her patron for the Grand Duke Alexis and falls in love with a common soldier.

The screen translation of Zola's story emerges splendidly, but is secondary. Miss Sten as Nana is important. She enriches the role and makes the character she plays vital and real. Her affairs with the soldier, the producer and the grand duke give her a range of emotion and opportunity seldom accorded a newcomer. To that opportunity she rises to where the public will find a place for her as they did for others of equal flair.

The production is an artistic gem photographed in pastel with a lush beauty. In all details it carries the perfection of creed of its sponsor.

The cast is well chosen, with Lionel Atwill, Richard Bennett, Mae Clarke, Phillips Holmes and Muriel Kirkland registering with good effect. Dorothy Arzner's direction hits a new mark for her.

After two years' tutelage and the expenditure of about $500,000 after junking the first try before the new "Nana" was started, it looks as if Goldwyn will retrieve his investment many fold with his new find in her first production.

"Frontier Marshal"

(Fox)

HOLLYWOOD, Jan. 4.—Much has been written of the outlawry of Tombstone Valley in the 19th century. Here is a film transcription of some of the events which have been recorded from time to time. To those who have read some of the pioneer history of the valley, this picture holds many interesting highlights. As film entertainment it should appeal generally, especially to western fans and George O'Brien's followers.

Burton Churchill, mayor of the valley, part owner of the Four-Square ranch and half owner of the bank, has been conniving and stealing anything not nailed down. Happenings in the town are at a high pitch when O'Brien arrives with Irene Bentley and Georgie Stone in a coach which has been held up on the way. Ward Bond has been making trouble and when the hero captures him he is given the job as sheriff. Meanwhile the girl's father, partner of Churchill, is murdered, and Miss Bentley assumes his responsibilities.

O'Brien makes good on the job and even subdues Alan Edwards, a bad man, who later takes to the hero and helps him run down the bad men. Churchill makes things hot for O'Brien, who is almost lynched when he is unveiled by the crooked mayor as a thief. O'Brien gets evidence of Churchill's guilt and with the aid of Edwards rounds up Bond, who confesses. The villain tries to make a getaway and is killed, ridding the town of its official enemy.

Ruth Gillette, who puts on the Mae West act as proprietress of the saloon and dies saving the hero from the villain's bullet, is good in her role. Stone, Russel Simpson, Frank Conroy also do fine work. Lew Seiler directed.

"All of Me"

(Paramount)

HOLLYWOOD, Jan. 4.—Sounding a new romantic note and revealing a guy and a gal with courage to clutch and hold that which is important to them, "All of Me" has show values that yank at the emotions.

Miriam Hopkins, as a society girl afraid that marriage to a young engineering professor may mar their romance, is jolted into realization of what this thing called love is all about. Fredric March, the engineer, in proposing marriage, tells her that he can't promise happiness, but only love with its torment, adventure and even hate. The girl demurs. Slumming in a beer joint, they see and hear George Raft, an ex-con,

(Continued on page 10)

Para. Seeks Closer Field Contact Plan

(Continued from page 1)

is an outgrowth of Theatre Management Co., subsidiary which owned or operated no houses but acted as a service unit to assist operators in the field. A second meeting will be held in Dallas later in the month at which Karl Hoblitzelle, E. O. O'Donnell and other Paramount theatre partners in that section will attend.

While localized operation is declared to be unaffected by the rearranged personnel of Paramount Theatres Service, it was explained yesterday much could be done by setting up a system whereby information out of New York and into the field, as well as vice versa, could be exchanged quickly.

Reopen Delaware House

MIDDLETOWN, Del., Jan. 4.—George M. Schwartz, who operates the Capital and Temple at Dover, has taken over and reopened the Everett here.

BROCKTON, Mass., Jan. 4.—The new Modern is nearing completion on East Elm St. and will be opened this month. Morris Perlstein is the owner and manager.

FORT MORGAN, Col., Jan. 4.—Edwin Bluck has leased the U. S. A. and the Cover from John Anderson and will do extensive remodeling and redecorating. New sound will be installed in both houses, and the seating capacity of the U. S. A. will be reduced from 450 to 320. Bluck recently owned a part interest in the Hiawatha in Denver.

No St. Louis Sale Date

ST. LOUIS, Jan. 4.—No date has been set for the foreclosure sale of the Ambassador, Missouri and Grand Central theatres and furnishings. Nelson Cunliff, special master, has this in charge. Under the law he must advertise for four weeks before the sale.

Defaulted bonds and interest total $6,503,875.

Colman Made Director

HOLLYWOOD, Jan. 4.—For the first time at Columbia studios, an assistant director has been made a director. He is Buddy Colman, assistant to Frank Capra for several years. His first assignment will be Tim McCoy's "Storm at Midnight."

Arthur Chateau Dead

NEW ORLEANS, Jan. 4.—Arthur Chateau, Sr., 44, president of the operators' union, died at his home here. He is survived by a son, Arthur Chateau, Jr., and a widow.

Giannini Returns

LOS ANGELES, Jan. 4.—Dr. A. H. Giannini, chairman of the board of the Bank of America National Ass'n., is back from a New York trip.

Lloyd Gets Una Merkel

HOLLYWOOD, Jan. 4.—Harold Lloyd has borrowed Una Merkel to play opposite him in "Cat's Paw."

A Question
ANSWERED

WHAT big picture today does *not* include backgrounds that call for composite photography? The answer is obvious. . . . The really vital point is: what medium to use in photographing these important backgrounds? . . . Eastman has answered that question. Eastman Background Negative, with its remarkably fine grain, its surprising speed, and its excellent processing characteristics, completely solves the film problem of the composite shot. Eastman Kodak Company. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN
Background Negative

THE ROXY, N.Y., STARTS

Books Four at a Clip

JANUARY 15

BY CANDLELIGHT

PAUL LUKAS
ELISSA LANDI
Nils Asther
Dorothy Revier
Esther Ralston



JANUARY 19

CROSS COUNTRY CRUISE

LEW AYRES
JUNE KNIGHT
Alice White — Alan Dinehart
Eugene Palette—Henry Armetta

THE NEW YEAR RIGHT!

...rom Universal!

JANUARY 26

BELOVED

JOHN BOLES
GLORIA STUART

Morgan Farley—Ruth Hall—Albert Conti—Dorothy Peterson—Edmund Breese—Richard Carle—Lucille Gleason—Mae Busch—Jimmie Butler

FEBRUARY 9

MADAME SPY

FAY WRAY
NILS ASTHER

Edward Arnold — John Miljan
Noah Berry—Robert Ellis
David Torrence



• Looking 'Em Over •

"Marriage on Approval"

(*Monarch*)

There is enough general production value and interest in this story of today's younger generation to warrant attention for it from subsequent runs and double featuring houses. It has an added advantage in such cast names as Barbara Kent, William Farnum and Donald Dilloway.

The plot is based on the unusual moral code for a minister's daughter, played by Miss Kent, which permits her to live, to all intents and purposes, with the man she loves without being married to him, in order to keep a promise made to her father that she would not marry before she was 22. The marriage, however, had actually been performed by a justice of the peace following a roadhouse party, although the girl did not remember it, and her husband, played by Dilloway, refrained from telling her for fear that an estrangement might result because of his part in thus making her break her promise to the father. The disclosure of the marriage eventually makes possible a reconciliation between the young couple and the girl's family. The background of the story involves misunderstandings which threaten the relationship between Miss Kent and Dilloway after they leave home together. William Farnum is cast as the girl's father.

"Sensation Hunters"

(*Monogram*)

"Sensation Hunters" is a mild yarn of a pattern quite familiar. It is the tale of the cabaret gal "different" from her sisters in the profession who gets herself a job in a Panama honky-tonk. There she meets a chap who is representative of an American air transport company. She falls for him in an effort to forget about a chap with whom she became madly in love aboard the steamer that brought her south but who broke off over a misunderstanding. When the Panama lover dies in an air crash, the girl finds herself driven to singing in the lowest of dives. In the end she is saved from giving herself to a life of shame by the nick-of-time arrival of the lover whom she has been seeking to forget.

The whole thing is a bit too implausible but the cabaret atmosphere and the down-to-earth dialogue will do much to get it over. Marion Burns is the girl and Preston Foster and Kenneth MacKenna, the lovers. The best performance, however, is that of Arline Judge as a cabaret performer.

"The Trail Drive"

(*Universal*)

"The Trail Drive" presents Ken Maynard in a fast and exciting tale with a plot that deviates from the routine enough to give it added interest. There is plenty of action to keep the kids on tenterhooks.

The story tells of a group of settlers in the Texas cow country who sell their livestock to the big shot dealer of the country, who offers to pay them in script, which he will redeem when business improves. He plans to double-cross the sellers by having the cattle driven into New Mexico, where there is no redress. Maynard, as the dealer's foreman, gets himself unwittingly drawn into the mess. He squares himself when he brings his boss to justice. The romantic angle between Haynard and Cecelia Parker is handled in the usual western fashion.

There is a fist fight between Maynard and the villains of the story that is a whopper and a tingling pursuit sequence. William Gould as the villain-in-chief is all right. Alan James directed acceptably.

"Sweden—Land of the Vikings"

(*John W. Boyle*)

John W. Boyle, a former president of the American Society of Cinematographers, who produced this travelogue in Cinecolor, deserves credit for an exceptionally interesting piece of entertainment. The photography, even without the color, would have been splendid. With it, it is gorgeous.

Off-screen narrative by Wilfred Lucas is done with a touch of humor and some emotion, and there is incidental music.

Scenes show the departure of the *Kungsholm* from New York, shipboard scenes, and the arrival of the ship at Goteborg—Gothenburg. The trip is through a cross-country canal by boat, to Stockholm; to an interior town where native weaving is taught and customs and games are presented; to the island of Gotland, where Gothic architecture originated, and across country via railroad.

The picture is feature length.

"Rafter Romance"

(*Radio*)

With Ginger Rogers, Norman Foster, George Sidney and Laura Hope Crewes, a novel story and capable direction of William Seiter, "Rafter Romance" becomes an entertaining picture.

The story concerns two youngsters, Miss Rogers and Foster, who, although unacquainted, are forced to occupy the same room in Sidney's boarding-house, Foster having the room by day and Miss Rogers by night. The conception that each has of the other and the pranks they play, afford many laughs. They finally meet, but on the outside, fall in love, and the picture winds up with the conventional happy ending.

Miss Crewes is grand as an inebriated society woman in love with Foster, and Sidney gives another of his fine characterizations. Both Miss Rogers and Foster handle their parts in their usual competent manner.

"If I Were Free," which opened at the Music Hall yesterday, was reviewed on Dec. 8.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

(*Continued from page 6*)

and his gal, Helen Mack, manifest their deep love, tragic yet unafraid.

The dramatic dilemma of a debby and her beau and that of a guy and his gal manifest two kinds of love by contrast and unfold an action gleaming with excitement.

While March and Miss Hopkins give good accounts of themselves and are pulling names for the box-office, Helen Mack is the cast's standout, giving a sincere portrayal, quivering with restrained intensity. After this, she bears watching. George Raft contributes a fine job also.

The direction by James Flood departs from the usual paths in sustaining interest. Adapted from the play "Chrysalis," the story and dialogue by Sidney Buchman and Thomas Mitchell, is nicely built.

With the trend seemingly away from realism to romance, "All of Me" should give a good account of itself, neatly combining mass and class appeal in an emotional register.

Schaefer to Atlanta

George J. Schaefer leaves today for Atlanta and Dallas, where he will hold pep meetings of Paramount managers.

Tucker Sponsors Fund

Sophie Tucker is sponsoring a fund for an eye operation required by Eva Tanguay.

It's "Madame Spy"

Motion Picture Daily's coast review on "Madame Spy" (Universal) appeared as "Woman Spy."

Para. Picks "Cinderella"

Hollywood, Jan. 4.—Satisfied with the reception given "Alice in Wonderland," Paramount has decided on another Christmas picture with Charlotte Henry. It will be "Cinderella." Lanny Ross is being considered for the Prince Charming role.

Change Dietrich Title

Hollywood, Jan. 4.—Paramount has changed Marlene Dietrich's "Catherine, the Great" to "The Scarlet Empress."

Spence, Rowland Coming

Hollywood, Jan. 4.—Ralph Spence is on his way east to close a deal for a series of humorous articles for a news syndicate and for a radio tieup. Also eastbound is William Rowland, who will confer with Jack and Harry Cohn on a proposed releasing deal for Rowland-Brice product.

McDonough Delayed

J. R. McDonough, general manager of RKO, will not get away for the coast today as planned, but will momentarily.

Woolsey in Town

Robert Woolsey, accompanied by Dorothy Lee, arrived by plane last night to join Bert Wheeler, who has been here making arrangements for the comedy team's appearance on the stage and over the radio.

Anocinema Gets Right

Anocinema Export has secured distribution to United Newsreel shorts, "Broadway Gossips," and "The American Explorer." The films will be dubbed in Spanish.

Radio Starting 11 Films This Month

HOLLYWOOD, Jan. 4.—Radio will put 11 features into work this month. Three are already under way. They are: "Success Story," "Transient Love" and "So You Won't Sing, Eh?"

Those to start are: "Finishing School," "Strictly Dynamite," "Family Man," "The Crime Doctor," "I Love An Actress," "Three Stand Alone," "Escape to Paradise," "My Gal Sal."

Goldberg Ampa Hit

Lou Goldberg's debut as chairman of the Ampa was a huge success yesterday. Eddie Peabody entertained with a banjo solo, Harry Hershfield told a few funny stories, Hector Fuller praised the Hoys organization, the Ampa and J. J. McCarthy on the results of the clean advertising campaign. George Bancroft spoke briefly, as did Charles Judels, Bernhard H. Ritter, publisher of the *Staats-Zeitung* and *Journal of Commerce*, Dudley Field Malone, Marshal Neilan and Mrs. Helen Ogden Reid of the *Herald-Tribune*.

Indianapolis Keith Dark

INDIANAPOLIS, Jan. 4.—Keith's, operated by the Switow brothers and Ike Libson of Cincinnati, has been closed. The house, operated since last September with second run, Grade B pictures, was formerly a legitimate spot. James D. Kennedy has been manager.

Hollywood On Parade

By BILL SWIGART

HOLLYWOOD, Jan. 4.—For some reason or other producers cannot break away from the tradition of "mob psychology" in the selection of stories. M-G-M is rushing preparation for another "spy" story with MARION DAVIES and GARY COOPER to be co-starred in a play to be taken from the Robert W. Chambers' novel, "Operator 13." MISS DAVIES will portray the sensational role of the "Mata Hari of the Civil War," and COOPER her soldier lover.

•

Several "under cover" agents are now operating in Hollywood for home-office executives of the various major organizations. Their job is chiefly to cover previews and report the audience reaction.

•

After building a complete auto camp on the desert of Victorville at considerable cost for summer atmosphere for "Heat Lightning," Warners were forced to abandon the location and reproduce the locale on one of the closed stages at the studio where they could control the exhaling of foggy breaths from the actors on the desert location.

•

Speaking of air express service, a studio executive blew up when he discovered it took only 20 hours for a can of film to reach the Glendale airport from New York, a distance of 3,000 miles, but required five hours to deliver from the airport to Hollywood, a distance of eight miles.

Cartoon shorts have become so popular on the Pacific Coast that several of the neighborhood houses are playing Saturday morning matinee cartoon programs one hour long. These matinees have met with successful response from the juvenile attendance.

•

JOE RILEY, director of public safety for the Fox studios, has assigned one of his burly policeman to watch over GEORGE WHITE, who is inclined to be somewhat negligent in keeping his appointments with the production unit now engaged in transferring his "Scandals" to celluloid. The producer will invariably order everyone on the set at a certain time then forget to show up. The copper is detailed to shadow him and keep him informed of pending appointments.

•

ONE MIGHT BE SURPRISED TO LEARN that someone sent RICARDO CORTEZ a black face ham to his wedding shower upon learning of a reported feud with AL JOLSON. . . . Charity seems to be the keynote for fame and fortune. . . . MARION DAVIES entertained and supplied baskets and toys to more than 1,000 families and children at the M-G-M lot. . . . JUNE KNIGHT is clothing and feeding three families. . . . BABY LE ROY received so many presents from his admirers on the Paramount lot that he shared them with the children of the Hollywood Community Hospital.

Des Moines Takes Leap for Year End

DES MOINES, Jan. 4.—Aided by midnight shows in all the first runs and a stage show, this town closed the old year with a big $32,000. The old high for seven days was $31,000.

The Paramount had the best take, $8,500 on "Lady Killer" and the stage show, "Artists' Models." The Des Moines was next in line, taking $8,000 on "Mr. Skitch," again proving Des Moines is a Will Rogers town.

The biggest increase over average was scored by the Orpheum on "Flying Down to Rio," $7,500, compared with an average of $3,000. The Garden was up $1,000 above its average, taking $4,000 on "Too Much Harmony."

Estimated takings for the week ending Dec. 30:

"LADY KILLER" (Warners)
PARAMOUNT — (2,300), 10c-35c-50c, 7 days. Stage: "Artists Models." **Gross:** $8,500. (Average, $7,000.)

"MR. SKITCH" (Fox)
DES MOINES—(2,200), 10c-35c-50c, 7 days. **Gross:** $8,000. (Average, $6,000.)

"WHOOPEE" (U. A.)
STRAND—(1,900), 10c-25c-35c, 7 days. **Gross:** $4,000. (Average, $3,500.)

"TOO MUCH HARMONY" (Para.)
GARDEN—(1,300), 10c-25c-35c, 7 days. **Gross:** $4,000. (Average, $3,000.)

"FLYING DOWN TO RIO" (Radio)
ORPHEUM—(2,300), 10c-35c-50c, 7 days. **Gross:** $7,500. (Average, $4,500.)

Minnesota Houses Open

MINNEAPOLIS, Jan. 4.—That business in this territory is on the mend is evidenced by the report from the Film Board of Trade that only one theatre has closed and 18 have opened the past 30 days.

"THE MAD AGE"

Pre-release title, "This Is America"

Produced by FREDERIC ULLMAN, Jr.

Now playing in the Metropolitan area in

40 LOEW THEATRES

•

State Right Territory Available

BEEKMAN FILM CORPORATION

35 West 45th Street, New York

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New York, Buffalo, Philadelphia and Washington territories through

Hollywood Film Exchanges, Inc.

OUT OF '33 WITH A BANG .

FOX has the money pictures coming . . . and going strong!

Hire extra ushers . . . arrange for extra shows . . . when these three crowd-pullers reach your house. One a current key-city clean-up . . . another starting in a great big way . . . a third you'll be setting in for extra playing time. It's pleasant dreams for showmen when they date in hits like these!

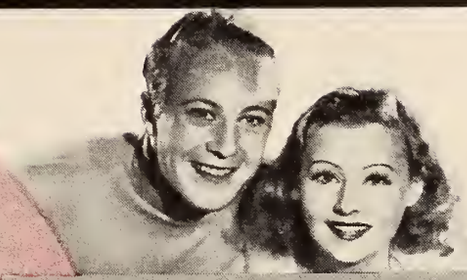
WILL ROGERS
in
Mr. Skitch
with
ZASU PITTS
ROCHELLE HUDSON
FLORENCE DESMOND
HARRY GREEN
EUGENE PALLETTE
Based on Anne Cameron's story "Green Dice"
Directed by James Cruze



NOW PILING UP outstanding grosses in the: State Theatre, Los Angeles; Stuart Theatre, Lincoln; Alabama Theatre, Birmingham; Roxy Theatre, New York; Apollo Theatre, Indianapolis; Fox Theatre, Detroit; Warfield Theatre, San Francisco; Orpheum Theatre, Denver . . . everywhere. The verdict: Rogers' best in years!

Your patrons always like
FOX MOVIETONE NEWS

INTO '34 WITH TWO SMASHES!



STARTING OFF at a terrific pace in pre-release run at the Four-Star Theatre, Los Angeles. Smash business building daily, hourly . . . with unparalleled word-of-mouth and newspaper raves. Management anticipates sensational four-week run.

I Am Suzanne!

with

LILIAN HARVEY

GENE RAYMOND
LESLIE BANKS

Podrecca's Piccoli Marionettes. Story and screen play by Edwin Justus Mayer and Rowland V. Lee. Directed by Rowland V. Lee.

JESSE L. LASKY Production



JANET GAYNOR
LIONEL BARRYMORE

in

Carolina

with

ROBERT YOUNG
RICHARD CROMWELL
HENRIETTA CROSMAN
MONA BARRIE
STEPIN FETCHIT

From "The House of Connelly" by Paul Green

Directed by Henry King

COMING UP. A cast ablaze with talent . . . a story alive with love, drama, music, laughter . . . a wisp of a girl who bursts into sleepy Carolina, upsets tradition, awakens romance, stirs up excitement everywhere. Look for "State Fair" grosses . . . or better!

FOX

ITOA-Union To Talk Wage Scales Today

(*Continued from page* 1)

kept both organizations at swords' points in recent weeks.

Today's conference was fixed following a meeting yesterday at I.A.T.S.E. headquarters, where amity was pretty much the order of the day. Present were Division Administrator Sol A. Rosenblatt, representing the Recovery Administration; William C. Elliott, president and Fred Dempsey, vice-president, of the I.A.T.S.E.; Harry Brandt, president of the I.T.O.A.; Milton Weisman, his attorney; Harry Sherman, president of 306, and Samuel Birnbaum, his attorney.

I.T.O.A. scales, fixed in the neighborhood of $75 and up, have aroused the opposition of Local 306, which insists on and has been getting, a scale several times higher in certain types of theatres.

New Theatre Union To Draft Pay Rates

New wage scales for ushers, doormen, janitors, cashiers and ticket takers will be drafted as a basis for collective bargaining with theatre operators at a meeting of the 1,000 members of Local 118, Building Service Employes' Union, to be held at Bryant Hall Jan. 10.

Organization of the unskilled theatre employes and plans for next week's wage scale meeting were detailed in MOTION PICTURE DAILY on Dec. 11.

IATSE Is Denied Writ Against IBEW

HOLLYWOOD, Jan. 4.—The I.A.T.S.E. suit to get an injunction against the I.B.E.W. to spike an allegedly collusive agreement with major studios was decided today in favor of the latter by Superior Court Judge Leon R. Yankwich, who denounced the former for bringing the matter to court when, he said, labor unions have been fighting for years against injunctions. The court asserted I.B.E.W. contracts with studios were free of any collusion.

Mrs. Bella Cohn Buried

Funeral services for Mrs. Bella Cohn, mother of Harry and Jack Cohn, who died Saturday, were held yesterday at the West End Funeral Chapel, 115 West 79th st. Burial was at the old Mt. Carmel Cemetery, Cypress Hills.

HOLLYWOOD, Jan. 4.—All activity ceased at Columbia studios today from 10 to 11 A. M. in tribute to Mrs. Bella Cohn, while her body was being laid to rest in New York.

Would Ban Nudist Films

HOLLYWOOD, Jan. 4.—With "Elysia" in its seventh week here, a resolution has been presented to the City Council demanding a ban on all nudist films through an amendment to the ordinances governing indecent shows.

Amusing

"The Rasslin' Match," first of the Amos 'n' Andy cartoon series, Van Beuren-produced, with black-and-white figures representing the comedians but given expression through the team's actual voices, opened at the Music Hall at the supper show last night.

The cartoon work is well done, the entire conception nicely handled. The initial subject is amusing on all counts.

K.

"U" Moving Soon to Rockefeller Center

(*Continued from page* 1)

be redecorated and connected with stairways. The lease is for 10 years.

Floor area will be somewhat larger than the present four floors in the Heckscher Building at Fifth Ave. and 57th St., which have been occupied since Oct., 1924. Provision will be made for about 300 employes in the executive, sales, export, accounting, advertising, publicity, exploitation, purchasing, accessory and eastern scenario offices; Universal Weekly, Universal Newsreel, and art and poster departments. The newsreel office is to be laid out like a city room with ticker service and U. P. and A. P. wires, as well as a machine for enlarging newsreel clips. Cameramen's headquarters will also be there, but the editorial department will remain in the laboratory on West 146th St.

This is Universal's third move. It began at 1 Union Square and moved to 1,600 Broadway in May, 1912.

"U" Sets Starting Dates on 11 Films

HOLLYWOOD, Jan. 4.—Following a series of conferences between Carl Laemmle, Carl Laemmle, Jr., and James R. Grainger, Universal has set release dates and production starting dates on 11 features for 1934.

First to get under way will be "Countess of Monte Cristo," now being adapted by Karen de Wolfe from the Walter Fleisch play. It starts Jan. 10 with Karl Freund directing. "If I Was Rich" goes into production Jan. 15, with Edward Ludwig directing. Earle Snell is doing the adaptation from the stage play by William Anthony McGuire. The B. F. Zeidman production, "Glamour," from the Edna Ferber novel, goes into work 10 or 15 days later. Doris Anderson is doing the script. These are for March release.

For April release is an untitled Edmund Loew starring vehicle, "The Human Side," by Christine Ames, and "Bachelor Wife," by Harry Segall. Writing, directorial and cast assignments on these films will be announced by Carl Laemmle, Jr., prior to his departure for Europe Jan. 15.

"Elizabeth and Mary," an original costume screen play; "Today We Live," the Frank Borzage production; "Little Man, What Now?", featuring Margaret Sullivan, and "The Practical Joker," with Chester Morris, have been spotted on the May release schedule.

Director John M. Stahl is now working with George O'Neil on the adaptation of Fannie Hurst's "Imitation of Life," slated for cameras before March. An untitled story by James Whale is now being prepared in London, with R. C. Sheriff collaborating with Whale.

Ken Maynard, with two more features to make before completing his universal contract, begins "Honor of the West" Jan. 15.

James R. Grainger, "U's" general sales manager, arrives in New York from a cross-country sales trip Monday morning.

Buck Reveals Joint Where Bear Got Him

Frank Buck, the big "Bring 'Em Back Alive" and "Wild Cargo" man from Singapore, returned to New York yesterday after 10 months in wild animal territory, and displayed a heavily bandaged knee to a group of trade paper reporters gathered in the office of Amedee J. Van Beuren, for whose company Buck's latest picture was made.

"A bear got me," Buck explained, rolling up his trouser leg to reveal the thickly swathed joint.

"I didn't know there were bears in the Malay Peninsula," remarked an unsympathetic reporter. "Let's see the bite," he added, skeptically.

"Well, anyway, it made a good story for the newspapers," sighed a Van Beuren publicity man as Buck rolled down his trouser leg without unraveling the bandage.

Buck sent back over 100,000 feet of film which will be cut and edited to about 7,500 feet and released through RKO Radio about March 15 as "Wild Cargo." The adventure man thinks his new picture will have it "all over on 'Bring 'Em Back Alive,'" because it has "more action, more menace and faster story development," he said.

Phil Reisman and Cress Smith were members of an RKO welcoming delegation which greeted Buck in Van Beuren's office.

Buck and his wife were guests at noon at a Tavern luncheon. Present were George Bye, Conrad Berkovici, "Bugs" Baer, Joseph Connelly, Charles Colebaugh, Ned Depinet, Will Durant, Delight Dixon, Clayton Heermance, Harry Hansen, Sam Jacobson, Bradley Kelley, J. P. McEvoy, Fred McConnell, Rutgers Nielsen, Ursula Parrott, Richard L. Simon, M. L. Schuster, Frank Snell and Van Beuren.

Paramount Heading For Rush at Studio

HOLLYWOOD, Jan. 4.—With five features in work, Paramount is planning to start eight more this month and four more in February. Seven are in process of editing.

Features in production are: "The Scarlet Empress," "Bolero," "No More Women," "Good Dame" and "Baby in the Icebox." Those scheduled to start this month are: "Melody in Spring," "We're Not Dressing," "The Trumpet Blows," "It Ain't No Sin," "Murder at the Vanities," "Honor Bright," "Come on Marines" and "The Man Who Broke His Heart." Those on the February starting list are: "Double Door," "Often a Bridegroom," "Thirty Day Princess" and "Little Miss Marker."

In process of editing are: "Four Frightened People," "All of Me," "The Last Round-Up," "Miss Fane's Baby Is Stolen," "Search for Beauty," "Six of a Kind" and "Death Takes a Holiday."

Radio Gets Austen Novel

Radio has acquired the rights to Jane Austen's "Pride and Prejudice," and is planning to make it as a "companion picture" to "Little Women." Katharine Hepburn will probably be starred.

Budget Total For U. S. Set At 6 Billion

WASHINGTON, Jan. 4.—A national debt of nearly $32,000,000,000 by June 30, 1935, today was indicated by budget estimates of nearly $6,000,000,000 for the fiscal year beginning July 1, next, sent to Congress by President Roosevelt.

The budget for the coming year will be approximately $3,000,000,000 less than is to be spent during the current year, proposing the gradual withdrawal of the Government from relief work. The President estimates that only $2,000,000,000 will be required during the next fiscal year, less than a third of the current appropriations, while expenditures for normal operation of the Federal establishment will show a slight increase, but, less public debt requirements, will be under $3,250,000,000.

Estimates for the Navy carry $85,000 for purchase and rental of films, the same amount as for the current year. Actual expenditures for this service in 1933, before the present economy program was adopted, were $130,000. The usual sum of $165,000 is carried for film and other recreational and athletic equipment.

A small increase, from $23,479 to $28,065, is proposed for the Specialties and Motion Pictures Division of the Department of Commerce. The appropriations for film work in the Department of Agriculture is to be increased from $59,115 to $61,806.

Of interest to exhibitors, the budget contemplates the restoration of one-third of the 15 per cent pay cut now in force, beginning July 1, next.

British Films Show Big Jump in Canada

WASHINGTON, Jan. 4. — Canadian imports of British films have tripled during the past 12 months, according to reports to the Motion Picture Division of the Bureau of Foreign and Domestic Commerce from Consul Damon C. Woods at Toronto.

The figures are based on reports of the Ontario Board of Censors which show that for the fiscal year ending Oct. 31 76 of the 490 films offered for censorship were of British origin. All other films censored, except two, were American.

Frisco Paramount Switches to Duals

SAN FRANCISCO, Jan. 4.—Still battling for grosses in the local price war, the Paramount, which only two weeks ago reduced its general admissions from 55 to 40 cents, has now gone double bill.

The first bill under the policy is "Design for Living" and "Smoky." "Alice in Wonderland," which ran only five days, closed the house's single feature policy.

Levine Heading East

HOLLYWOOD, Jan. 4.—Nat Levine has left for the east. He will visit exchanges on the way to New York.

A HEADLINE CAST
GIVES
A FRONT-PAGE SHOW!

Entertainment stars give their talent–
Motion Picture Daily gives this space–

So you **GIVE A HAND! – – BE ON HAND** ***at the***

MILK and EGG LEAGUE
▲▲ BENEFIT ▲▲

FOR THE LOS ANGELES SANITORIUM
FOR NEW YORK'S TUBERCULAR POOR

NEW AMSTERDAM THEATRE
42nd STREET WEST OF BROADWAY

SUNDAY, JAN. 28 • • • 8:15 P. M.

▲ ▲ ▲

• With 1,001 Stars of Stage, Screen, and Radio •

A GRAND SHOW! . . . . A GRAND CAUSE! . . . . AND WHAT A GRAND AND GLORIOUS FEELING FOR YOU

to know you've helped bring health and happiness to hundreds of New York's unfortunates!

▲

A PERCENTAGE OF THE PROCEEDS WILL BE DONATED TO THE ACTORS' FUND OF AMERICA.

▲

Make your reservations NOW!

TICKETS ON SALE AT THE NEW YORK STRAND
Or 'Phone Circle 7-5900



Teaser Card used by Capitol, N.Y.

CONDITIONS OF CONTEST!

1. $200 in prizes for best promotion campaign on "Fugitive Lovers." 1st prize, $100; 2nd prize, $50; 3rd prize, $30; 4th prize, $20.
2. In case of ties, duplicate prizes will be awarded.
3. Campaigns must be fully documented with proofs of activities, not merely a list of them.
4. Contest ends March 5th, 1934.
5. Send your campaign to "Fugitive Lovers Contest," M-G-M, 1540 B'way, N. Y. C.
6. The judges are: "Chick" Lewis, Showmen's Round Table; A. Mike Vogel, M. P. Herald; W. R. Ferguson, M-G-M.

$200 in Prizes

for the best theatre campaigns on "Fugitive Lovers"

starring Robt. Montgomery, Madge Evans, Ted Healy

It's a whale of an entertainment. Build it up to a big opening and word of mouth will pack 'em in - Metro-Goldwyn-Mayer Hit!

WHAT CAPITOL, N. Y. IS DOING

1— Teaser ad campaign in newspapers 8 days in advance.

2— N.Y. Daily Mirror stunt: "FIND THE FUGITIVE LOVERS."

3— Teaser tack cards, teaser 1-sheets and three sheets.

4— Special dodger for mailing and giveaway purposes.

5— Radio sketch WOR, Mon., Wed. & Fri.

6— Tie-up with Greyhound Bus Lines.

7— Special teaser 24-sheet block posters.

8— Parade of busses with banners to Capitol opening day.

9— Camera on truck perambulator looking for "Fugitive Lovers" in N. Y.

10— Special press stunts. Increased advertising budget.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 35. NO. 5 NEW YORK, SATURDAY, JANUARY 6, 1934 TEN CENTS

Guild Elated By Chance to Act on Code

Writers to Name 10 for Committee Choices

HOLLYWOOD, Jan. 5.—Describing it as a notable victory for the Writers' Guild, Ralph Block, acting president, has informed the organization that it has been vested with authority to supervise the nomination of screen writers' representatives on code problems, which means virtual recognition of the guild by producers.

Since a majority of the writers are members of the guild, it is regarded as a virtual certainty that the code representatives will come from its ranks. Ten will be named, and from this group Division Administrator Sol A. Rosenblatt will select five to meet with producers' representatives for the adjudication of all writers' problems which may arise under the administration of the code. One writer will also be named to the Code Authority and another to the agents' committee. The choices will be made Jan. 15. A nominating committee is now at work.

With this official recognition, guild members see a hope of gaining their two major objectives—collective bargaining and a basic standard contract.

Bulletin by Casey Stirs Guild's Ire

HOLLYWOOD, Jan. 5.—Perturbed over their interpretation of Pat Casey's first official bulletin to producers concerning the code application to extras, the Actors' Guild has dispatched to Division Administrator Sol A. Rosenblatt the following telegram:

"Bulletin No. 1, issued to all producers by Pat Casey to govern conduct of the studios with regard to extras, will be handed you by Eddie Cantor. It is an insolent attempt by the studios to evade the code. In the case of bit players and extras the code

(*Continued on page 3*)

Not a Tie-up

Paramount Distributing Corp. is now in the liquor business in Brooklyn, only the company has nothing to do with the corporation which sells Paramount pictures.

Exhibitors Query Authority On Final Date for Signing

Numerous queries were received by members of the Code Authority yesterday from exhibitors and others in the industry throughout the country seeking information as to when code assent forms would be ready. The telegrams were sent in view of the proximity of the original date, Jan. 10.

All wires were answered yesterday after it had been definitely established by the authority on Wednesday evening that midnight, Jan. 31, would be the new deadline for compliance returns to be in the mail and midnight, Jan. 20, as the last day for sending in recommendations to the 64 clearance and zoning and grievance boards.

Saenger Case Settled; 1st on Overbuying

WASHINGTON, Jan. 5.—Satisfactory settlement of the first case of overbuying brought before the attention of Division Administrator Sol A. Rosenblatt was announced today by the Recovery Administration. The case involved 206 features purchased by the Saenger circuit. Al Yoeman of Meridian, Miss., was the other party. Eighty-five per cent of the complaints reaching the division administrator re-

(*Continued on page 3*)

New Union to Seek Government Probe

A Federal investigation of alleged code violations by members of an independent exhibitors' organization here will be sought by Local 118, Building Service Employes Union, which charges through Charles C. Levey, secretary, that janitors are worked as much as 84 hours a week, by the houses in question.

Levey said that the 25-cent-an-hour minimum code wage had been made the maximum for practically all ush-

(*Continued on page 3*)

Union Probes Code Violations in K. C.

KANSAS CITY, Jan. 5.—Investigation of reported violations of code labor provisions is under way in this area by the I. A. T. S. E., according to union officials here. William C. Elliott, I. A. T. S. E. president, has detailed Walter S. Croft, his assistant and international representative,

(*Continued on page 3*)

Pay Queries May Go Out Coming Week

WASHINGTON, Jan. 5.—Returning to Washington this morning after nearly a week in New York, Division Administrator Sol A. Rosenblatt resumed consideration of the salary questionnaire which will be sent out to the industry as the initial step in the investigation ordered by the President in his approval of the code in November. The questionnaire, it was said, will probably be ready for distribution some time next week.

NRA to Give More Time to Sign Forms

WASHINGTON, Jan. 5.—Recovery Administration officials today were considering an extension of the time within which distributors and exhibitors may file their assent to the code. It is expected that an order fixing a time which will be sufficient for the blanks to reach the coast and be returned will be issued within the next day or so by Administrator Hugh S. Johnson. It is believed the final date for the filing of acceptances will be fixed as Jan. 31.

Authorities to Meet On Code Complaints

WASHINGTON, Jan. 5.—Members of all code authorities are expected to be called to Washington next month by General Hugh S. Johnson for a full discussion of matters relating to compliance and complaints, it was made known today at the Recovery Administration. Representatives of well over

(*Continued on page 3*)

Grosses End Katz-Rowland Option on "U"

Laemmle, Grainger Say Company Now Clear

HOLLYWOOD, Jan. 5.—Admitting that an option on the company had been held by Sam Katz and Richard A. Rowland, Carl Laemmle, Sr., and James R. Grainger declared prior to the latter's departure for the east Thursday night that Universal is now clear and above all options for some time to come.

Both of them stressed the statement the company is sound insofar as both production and sales are concerned. They dismissed the story of the Katz-Rowland option, widely reported in the last few months, by conceding its one-time existence until along came "Counselor-at-Law," "Only Yesterday" and "The Invisible Man," when the price went up.

There have been options in other years, they stated, citing the existence of one, held by parties not named, until "The Beasts of Berlin" hit the release and told of another which disappeared, too, when Universal released "All Quiet on the Western Front."

Grainger returns here in May, when the final seven of the company's schedule of 36 will go into production for completion by August. Ten are slated for completion between now and May.

G. T. E.-Chase Pact Is Filed in Court

WILMINGTON, Jan. 5.—A proposed compromise agreement with the Chase National Bank of New York has been filed in the Chancery Court here by U. S. Senator Daniel O. Hastings, Wilmington receiver for General Theatre Equipment, Inc. The hearing has been fixed for Feb. 23.

The proposed plan provides that the Chase Bank is to reduce its claims

(*Continued on page 3*)

Mickey to Blush

London, Jan. 5.—Eventually, Mickey Mouse will be made in Technicolor like the Silly Symphonies, Joseph M. Schenck told a sales convention of British United Artists.

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(Registered U. S. Patent Office)

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Editor-in-Chief and Publisher

MAURICE KANN
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Fox to Start Five Pictures Next Week

HOLLYWOOD, Jan. 5.—Fox now has four in work with five set to start next week. Five others are in the cutting stages.

Those in production are: "Fox Follies," "George White's Scandals," "Bottoms Up" and "David Harum." Three of these are musicals.

Starting next week are: "Wife for Sale," "All Men Are Enemies," "Murder in Trinidad," "Three on a Honeymoon" and "Odd Thursday."

In the cutting rooms are: "Carolina," "Coming Out Party," "Ever Since Eve," "Hold That Girl" and "Disillusion."



Warner Plans Draw Editorial Comment

Jack L. Warner's statement about making pictures with world appeal has stirred the *Herald-Tribune* to comment editorially that "it is apparent that the stereotyped tragedy and gayety of Hollywood are undergoing a sea change."

After commenting on the wide appeal of Emil Ludwig's "Napoleon," "Anthony Adverse," "British Agent" and "The Key" the editorial continues:

"This doesn't, obviously, mean that the 'movies' have suddenly and universally either gone highbrow or communist, or that ballroom sequences, Wild West six-gun dramas or Marie Dressler comedies are to disappear. Heaven forfend that any of these, especially the last, ever should! It would merely seem to indicate that Hollywood is in some measure aware of the interests of the times and at least willing to make a gesture in the direction of maturity and serious endeavor."

Schaefer, Waite Leave

George J. Schaefer, Paramount general manager, and Stanley Waite, division sales manager, left yesterday for Atlanta for sales conferences with sales forces in that territory under the leadership of District Manager Oscar A. Morgan and Branch Manager Dave Prince on Monday and Tuesday.

From there they will go to Dallas for a meeting with Interstate Theatre Circuit managers on Thursday. Schaefer expects to return directly from Dallas and Waite will probably go on to San Antonio and Oklahoma City.

End Poli Insurance

HARTFORD, Jan. 5.—Judge Edwin S. Thomas of the U. S. District Court today annulled an $8,000,000 fire insurance policy on Poli theatres taken out some time ago by the receivers. The receivership was ended recently following sale of the properties to Poli New England.

Col. Borrows Lombard

HOLLYWOOD, Jan. 5.—Columbia has borrowed Carole Lombard from Paramount for "20th Century."

Paramount Reopens Kansas City Royal

KANSAS CITY, Jan. 5.—Overseating is increased in the downtown district and double bills receive an impetus by the decision of Publix to reopen the Royal as a subsequent run. This gives Kansas City four low-priced subsequent runs within an area of four blocks.

The Royal opens Saturday on a "grind" schedule of twin features, changed three times weekly. The price scale is 15 cents any time, 10 cents for children. Capacity is 750. Paramount product is assured, and a deal is on for Warner-First National. Pictures from both companies are first run at the Publix Newman.

Held under a long term lease by Publix, the Royal has been dark more than two years. A reorganization of local Publix holdings is said to be involved, as the house has been separated from the Kansas City Operating Co., the local Publix subsidiary also operating the Newman, and a new holding company has been formed under the name of the Royal Theatre Co.

George Baker, manager of the Newman, will supervise the Royal in the capacity of Publix city manager. Thomas Howle, Jr., the Newman's assistant manager, goes to the Royal as manager. The house has been renovated.

Famous Theatres Elects

Directors of the newly organized Famous Theatres Corp. yesterday elected officers as follows: Chairman of the board, Adolph Zukor; president, Ralph A. Kohn; vice-president, Frank Freeman; vice-president, Sam Dembow, Jr.; treasurer, Walter B. Cokell; assistant treasurer, Paul A. Raibourn; secretary, Austin C. Keough.

P-P Meet Postponed

A Paramount Publix creditors' meeting scheduled for yesterday before Referee Henry K. Davis was postponed to Jan. 12.

Raspin Set to Start

HOLLYWOOD, Jan. 5.—Edwin B. Raschbaum and Sidney T. Pink of Raspin Productions, Inc., have arrived here to start work on "Are We Civilized?" Ewdin Carewe will direct.

M-G-M Pfd. in One Point Rise

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	23½	23½	23½	— ½	100
Consolidated Film Industries	3¼	2⅞	3⅛	+ ⅜	1,500
Consolidated Film Industries, pfd	11½	10¾	11⅛	+ ½	1,800
Eastman Kodak	80¾	80	80	— ¼	400
Fox Film "A"	12⅝	12¼	12¼	— ½	500
Loew's, Inc.	27½	26	26	—1½	3,600
M-G-M, pfd.	21	21	21	+1	100
Paramount Publix	1⅞	1¾	1¾	— ⅛	1,800
Pathe Exchange "A"	10¾	10⅝	10⅝	— ¾	400
RKO	2½	2½	2½	.....	400
Warner Bros.	5¼	5	5	— ⅛	4,000

Trans Lux Up ¼ on Curb

	High	Low	Close	Net Change	Sales
Trans Lux	3	2⅞	3	+ ¼	300

Bond Market Shows Slight Gain

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	3⅜	3⅜	3⅜	.....	1
General Theatre Equipment 6s '40, ctf	3	3	3	.....	5
Loew's 6s '41, ww deb rights	86½	86¼	86¼	+ ¼	15
Paramount Publix 5½s '50, cts	29½	29½	29½	+ ½	1
Pathe 7s '37, ww	88	88	88	+3	1
Warner Bros. 6s '39, wd	42	41	41½	+ ½	32

Purely Personal

ARMAND DENIS, who returned from his chores with the FRANK BUCK "Wild Cargo" expedition in Southern Asia by way of the Pacific, arrived at Newark airport last night after a flight from San Francisco which was slowed by several snowstorms en route.

W. RAY JOHNSTON will have the nearest office to the Code Authority when it is set up in the RKO Bldg. Monogram is on the 20th floor and the authority will be either one floor below or three above.

JOE RIVKIN, eastern representative for the LEO MORRISON agency, plans to trek to Hollywood early in February.

IKE LIBSON paid a visit to the Warner home office yesterday and conferred with Jack L. Warner and Andy Smith.

JULES DEMARIA, honorary president of the French Cinema Syndicate, sails today for France on the *Lafayette*.

ALEXANDER GRAY, stage star, has been signed by Educational for a short.

C. C. MOSKOWITZ sailed yesterday on a West Indies cruise.

Detroit Club Holds First Lunch Monday

DETROIT, Jan. 5.—First formal luncheon of the new Variety Club of Detroit will be held Monday noon in the Book-Cadillac, with John Harris of Pittsburgh as the principal speaker. Following the luncheon, the club will throw open its new club rooms in the hotel to friends and members, holding open house during the afternoon and evening. J. E. Flynn, divisional manager for M-G-M, is the first president. It was organized recently with a charter membership of sixty-one.

Loew's N. Y. Switches

Loew's New York will discard its present policy of showing new pictures every day beginning next Friday in favor of thrice-weekly changes, on Monday, Wednesday and Friday. Double features will be shown at all times, with the admission price from opening to 1 P. M. reduced to 15 cents for any seat in the house. It is understood a scarcity of good films prompted the switch.

Rites for Mrs. E. L. Hehl

ST. LOUIS, Jan. 5.—Persons connected with all phases of the industry here attended the funeral of Mrs. Emma L. Hehl, wife of Louis C. Hehl, secretary of the M. P. T. O. of St. Louis, eastern Missouri and southern Illinois. Thirteen of the 17 foster children raised by Mrs. Hehl were present. Burial was in the new St. Marcus Cemetery.

Goldwyn Starts East

HOLLYWOOD, Jan. 5.—Samuel Goldwyn left for New York tonight.

Settle Saenger Case, 1st on Overbuying

(Continued from page 1)

late to the practice of overbuying, it was said.

"Heretofore, in the motion picture industry," it was declared by Rosenblatt, "the practice of overbuying has been widespread and practiced to the detriment of the smaller enterprises in the country. Under this practice of overbuying certain exhibitors have contracted for more motion pictures than their theatres reasonably require. This had the effect of depriving their competitors from contracting for pictures which these competitors may require for the operation of their theatres.

"The practice has not only been prohibited under the industry code, but a specific method of ameliorating such conditions has been worked out under the code whereby the local grievance boards will have power to determine upon the question of overbuying and to cause rectification of the condition.

"One of the first cases since the effective date of the code to be called to my attention related to competition between an unaffiliated theatre in Meridian, Miss., and a large circuit enterprise. To secure compliance even prior to the appointment of the local grievance board for such territory, I requested a member of the Code Authority personally to investigate the situation. His efforts have been entirely successful and as a result the circuit has relinquished 206 feature pictures in favor of its smaller unaffiliated competitor. Such help to the small enterprise would have been impossible without the code."

MPTO in Oklahoma Picks Board Names

OKLAHOMA CITY, Jan. 5.—Names of men recommended by the M. P. T. O. of Oklahoma for zoning and clearance and grievance boards are being circulated among 250 members for approval or rejection as a result of action taken at a meeting this week.

Zoning and clearance board nominees are: R. J. Page, Universal; Sol Davis, Monogram; Pat McGee, Oklahoma City; Ralph Talbot, Tulsa; M. Lowenstein, Oklahoma City, and A. B. Momand, Shawnee. Grievance board: William Zoellner, M-G-M; Lynn Stocker, Columbia; R. M. Clark, Oklahoma City, affiliated theatres; Fred Pickerel, Ponca City, unaffiliated theatres.

Seeks Harmony on Non-Theatrical Code

WASHINGTON, Jan. 5.—Efforts to develop a satisfactory code for the non-theatrical film industry are being made by Deputy Administrator William Farnsworth by correspondence with representatives of the proponents, in order that a date may be fixed in the near future for a public hearing.

A hearing on the code for the seating industry will be held Jan. 19 before Deputy Administrator Selfridge.

It's "Colonel" Rosenblatt

WASHINGTON, Jan. 5.—Division Administrator Sol A. Rosenblatt today was exhibiting to his friends his commission as a colonel on the staff of Governor Laffoon of Kentucky.

Bulletin by Casey Stirs Guild's Ire

(Continued from page 1)

is being used to lower compensation previously received.

"We demand prompt and vigorous action by the code administration to demonstrate to producers at the outset that such chiseling will receive disciplinary measures."

When reached by MOTION PICTURE DAILY at the Brooklyn Paramount, where he is appearing in person this week, Eddie Cantor said that he had discussed the protest of the Actors' Guild with Division Administrator Rosenblatt, and that he was mailing to Washington all the data he had on the subject. Cantor continued: "When Mr. Rosenblatt, whom I consider a very fair man, gets my data, I am sure that he will immediately stop all chiseling on the coast."

Invites Kicks on NRA From Little Fellows

WASHINGTON, Jan. 5.—Exhibitors and other business men who feel that application of the Recovery Act has affected them adversely today were invited by Gerard Swope, chairman of the Business Advisory and Planning Council for the Department of Commerce, to file full details of their cases with a special committee just appointed, headed by Henry S. Dennison, president of the Dennison Manufacturing Co., Framingham, Mass.

The committee has begun to gather, in a variety of trades, cases of damage to small companies which have been attributed to the effects of the Recovery Act, with a view to recommending definite and practical measures to care for the situation.

MPTOA Board to Meet

A meeting of the M. P. T. O. A. board of directors may be called early next week by Ed Kuykendall, president, to complete plans for the organization's 1934 convention, which will probably be held some time in February. Some opposition to the selection of Los Angeles as the convention city has been voiced and may result in the selection of either a midwestern or southern city for the gathering.

Phillipson on Way Here

Percy Phillipson, managing director of Automaticket England and president of Automaticket America, is on his way to this country on the *Aquitania* for the purpose of reorganizing his company in this country. This will be his first visit here in eight years. He will be here from three to six months and will stop at the Waldorf-Astoria. The *Aquitania* is due in Tuesday.

Get Off Easily

WASHINGTON, Jan. 5.—In the first three days of its session Congress received only two petitions on motion pictures. Petitions filed by the Holy Name Society of Michigan and the Presbyterian General Assembly of Ohio asked for censorship of films.

Talk Booth Scales

A meeting of representatives of the I.T.O.A. and Local 306 was held yesterday on booth wage scales.

Some Greeting!

Lawrence, Kan., Jan. 5.—Holiday greetings of Glen W. Dickinson, head of the circuit by that name, are in demand. Attached to his greeting card is a pass good at all Dickinson theatres until Feb. 1.

Authorities to Meet On Code Complaints

(Continued from page 1)

200 industries are expected to attend the meeting.

It was explained by Johnson that "it is very difficult to get specific and definite complaints" about violations of codes, although, he added, the difficulties involve only six or seven codes. A definite program for handling such matters may be worked out at the conference.

At the White House it was made known that the adoption of a policy with respect to complaints will involve giving the Federal Trade Commission its place in the work of enforcement, as contemplated under the Recovery Act. The probable arrangement will be for complaints on trade practices, prices and like matters to be handled by the Recovery Administration if the Code Authority cannot deal with the situation, and if the Administration by informal action cannot iron the matter out, it will be referred to the President and by him to the commission. Matters involving labor will, as at present, be referred to the National Labor Board.

Speed Air Shipments

Film shipments to the coast are being speeded up by a new airplane express service. Postal picks up the consignments here and gets them onto an 8:25 P. M. plane at Newark. Through an arrangement between companies Transcontinental and Western delivers the package to American Airways at Columbus and the shipment reaches Los Angeles at 3:14 the next afternoon in time for delivery before the close of business.

Phila. Fox Cuts Scale

PHILADELPHIA, Jan. 5.—Together with the announcement that "I Am Suzanne," which has developed into an unexpected hit, would be held over a second week, the Fox reduced prices today.

Top on the night performances is dropped from 75c to 65c, with 40c for the balcony. The scale is now 30c-40c-65c, instead of 35c-55c-75c.

Va. Branch of MPTOA

RICHMOND, Jan. 5.—Virginia theatrical promoters formed a state branch of M.P.T.O.A. here yesterday, electing Morton G. Thalhimer president; Elmer H. Brient, secretary, and Sam Bendheim, Jr., treasurer. Plans were made for a study of the code.

Trans Lux Dividend

Trans Lux Daylight Picture Screen Corp. declared yesterday its first dividend of 10 cents a share, payable Feb. 15 as of record Feb. 1.

Union Probes Code Violations in K. C.

(Continued from page 1)

to gather information for presentation to Sol A. Rosenblatt, division administrator.

Several violations, chiefly in smaller towns, have been found, union officials say.

Union circles expect developments within a few days on the complaint submitted to Rosenblatt involving three Dubinsky houses in St. Joseph, Mo. The I.A.T.S.E., office in Washington, has been in conference with Rosenblatt and the administrator has communicated with Ed Dubinsky, head of the circuit, it is said.

Pending settlement or arbitration of the St. Joseph dispute, the deadlock between subsequent runs and union operators in Kansas City continues. The St. Joseph situation has a bearing here, because the Independent Theatre Owners and Fox refuse to sign new labor contracts until the union accedes to Dubinsky's demands for his Kansas City houses, and the I. A. T. S. E. is disposed to wait until the St. Joseph problem is solved.

New Union to Seek Government Probe

(Continued from page 1)

ers in the city as a result of recent action of Skouras and Loew's circuits in reducing wages from the President's blanket agreement minimum of $15 to the code minimum of $10. He said, however, that the major circuit houses were adhering to the hours prescribed in the code and that they would not be involved in the investigation to be sought.

The complaint will be made through the Department of Justice which will be supplied, Levey said, with sworn affidavits of employes that the exhibitors involved have worked all employes as much as 84 hours a week. Levey added that evidence will be presented designed to show that if code hours were maintained by these employers an additional 700 men could be put to work.

G. T. E.-Chase Pact Is Filed in Court

(Continued from page 1)

against General Theatres from about $20,000,000 to $15,000,000; that the receiver is to consent to allow the reduced claim and to release all claims the corporation may have against bank affiliates.

It is also provided that the bank is to participate in a reorganization of the corporation, provided details of the plan are worked out in a manner satisfactory to the bank, and that the bank is to turn over to the new company, among other things, a reasonable amount of money to cover expenses of reorganization and working capital, and to give the new company an option to purchase at $15 a share about 325,000 shares of class A common stock of Fox Film Corp. The option to be good for one year.

Wurtzel on Rogers Film

HOLLYWOOD, Jan. 5.—Sol Wurtzel will produce Will Rogers' next, "Merry Andrew."

• Looking 'Em Over •

"By Candlelight"

(*Universal*)

Highly sophisticated romantic comedy, "By Candlelight" represents splendid entertainment for mature audiences. It is decidedly not a family picture. To those who like this type of picture it offers a sparkling tale and dialogue that is witty and intelligent.

Based on the play of a season or two ago and set in Vienna, "By Candlelight" has for its central figures a butler to a prince and a maid to a lady of high society. Declaring a holiday from reality, they meet when the one passes himself off as his master and the other as her mistress. The pair are surprised one night in each other's company when the prince arrives home earlier than expected. In the end the truth comes out and the two decide not to let their lowly stations in life interfere with the course of true love.

Elissa Landi as the maid has never acted so well nor ever been photographed to such advantage. Paul Lukas is fine as the butler. Nils Asther does good work as the prince. Other players are Dorothy Revier, Warburton Gamble and Esther Ralston. James Whale directed.

"Fog"

(*Columbia*)

A fairly good mystery drama which succeeds in holding the interest to the end despite some confusion and delay at the outset in establishing motives for the murders which follow. This delay, leaving most of the possible suspects without a motive for associating them with the crimes, delays establishment of proper "menaces," as well, with the result that the picture is without a great deal of suspense at the time the crimes are committed.

The setting for the story, aboard a fog-wrapped ocean liner, makes for good atmosphere. Robert McWade, a millionaire, is murdered. An original will of his, later changed, made Helen Freeman, a spiritualist, his heir. The picture, however, shows McWade murdered by a man in the dense fog on shipboard, which removes her as a suspect. No other motives are sufficiently established for the performance of the crime among the others at this point. A ship's doctor, who apparently has discovered the guilty party, is later murdered, as is Miss Freeman, herself, when she is about to disclose the identity of the culprit during a seance on shipboard.

The unraveling of the crimes is accomplished by Donald Cook, who comes under suspicion, first, when he is revealed as the dead man's missing son, and heir under the new will. A romance between Mary Brian and Cook is interwoven.

"Bombay Mail"

(*Universal*)

Reminiscent of "Rome Express," here's another mystery thriller in which practically all of the action takes place aboard an express train en route from Calcutta to Bombay. The suspense is well sustained throughout and, while the yarn lacks a romantic thread, it is thoroughly entertaining. Headed by a cast which includes Shirley Grey, Ralph Forbes, Onslow Stevens, Tom Moore, Hedda Hopper and Brandon Hurst. Edmund Lowe turns in a swell performance as Inspector Dyke investigating the murder of Ferdinand Gottschalk. The others also do good work.

All leading players are thrown together in the list of suspects, some having a motive for wanting to put the victim out of the way while others have secret missions which are bared in the investigation. Walter Armitage, one of the suspects, is killed by the mysterious murderer because he knew too much. Eventually, Forbes is revealed as the culprit, but not until the train reaches its destination. Audiences should be urged to see it from the beginning. The suspense may be ruined otherwise.

The native backgrounds and the costumes of some of the principals lend color to the picture.

"The Lucky Texan"

(*Monogram*)

Fine acting is so unusual in westerns that George Hayes, an old-timer, nearly runs away with this one. He has a keen sense of timing and plays his comedy scenes with a shrewd knowledge of what it's all about.

Hayes is a rancher with no cattle and is taking things easy when John Wayne, son of an old friend, arrives to live with him. A granddaughter, Barbara Sheldon, comes a little later. Wayne and Hayes find gold. Lloyd Whitlock and Yakima Canutt set out to find the diggings. They shoot Hayes and Wayne is accused of murder, but the complications are straightened out in the end.

R. N. Bradbury, a veteran with westerns, wrote the story and directed it. It's a first class job for pictures of this type. The story has enough ramifications to keep the interest up. In addition to the usual chases and fights, there is a novelty sequence where Wayne does a remarkable slide down a sluiceway in pursuit of one of the heavies, and another where Hayes in an old Ford and Wayne on his white horse pursue Whitlock and Canutt, who are fleeing on a railroad handcar.

"In the Money"

(*Chesterfield*)

Although "In the Money" looks like a pale copy of "Three-Cornered Moon," it has enough hilarity to make it mild entertainment if nothing more. The producers, Invincible, had the good sense to include "Skeets" Gallagher and Warren Hymer in the cast. It is due chiefly to these two that the film does not sink into boredom.

Again there is a family of scatter-brained individuals. Whereas in "Three-Cornered Moon" the head of the family was a silly mother, in this one the chief of the menage is a mousy professor who is made too much of a moron to be believable. Sponging on him are a houseful of children and a son-in-law. When the prof loses his dough they are in a desperate plight. Into their midst walk Hymer, a prizefighter, on whom the youngest daughter is sweet, and Gallagher, his manager. When the kid of the family is faced with the loss of the use of his limbs as the result of a motorcycle accident, "Skeets" comes to the rescue by forcing his fighter into a match with the champ. Of course, Hymer wins, and everything turns out rosy. The fadeout has Lois Wilson, the only sensible member of the household, in the arms of "Skeets."

Others in the cast are Sally Starr, Arthur Hoyt and Junior Coghlan. Frank Strayer directed.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Fashions of 1934"

(*Warners*)

Hollywood, Jan. 5.—Adapted from a story by Harry Collins, at one time America's leading dressmaker, in collaboration with Warren Duff, "Fashions of 1934" entertainingly reveals the racket behind the style parade.

It's a swell show, with drama, musical divertissement and comedy radiating from a unique story hub in balanced proportion.

William Powell, as a quick-thinking promoter, flashes from stocks to fashion pirate; to design purloining; to ostrich feather salesman; to musical show impresario; to king of fashions, and to titular head of Maison Elegance, all through his good-natured chicanery.

In his schemes he uses Frank McHugh as a stooge, Bette Davis as a fashion artist for business and relaxation; Veree Teasdale, Russian countess from Hoboken, for intrigue, and Hugh Herbert, ostrich feather grower, as a witty and yet unwitting pawn.

Powell is aces as a suave bunco artist. He fits his role like his form-fitting clothes. Both Herbert and McHugh contribute laughs in big shakes. Miss Davis adds an exotic allure and Miss Teasdale provides the s. a. foil.

An augmented ostrich feather dance number by Busby Berkeley has girls and music in a novel spectacle which equals anything he has yet conceived.

The adaptation is by Gene Markey and Kathryn Scola. The dialogue is smart and the direction well paced. "Fashions" is a box-office attraction and swell entertainment for everybody, especially the women.

The Leading Daily Newspaper of the Motion Picture Industry

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Personalities With Stories Needed—Kent

Lack of Names Held Cause Of Many "Flops"

Two primary problems face production today, Sidney R. Kent told MOTION PICTURE DAILY yesterday. One is a crying need for new personalities and the second a sustained supply of good stories.



Back from the coast, where he checked into and discussed Fox production, Kent expressed his concern over production on these two counts.

In supporting his argument on the need for a fresh supply of personali-

(Continued on page 2)

Coast Putting 31 Features in Work

HOLLYWOOD, Jan. 7. — Production will take a decided upward swing this week with 31 pictures going into work. This will end a lull which has been unusual for this season of the year. Last week closed with only 26 features and five shorts actually shooting.

The score for the preceding week showed 31 features and six shorts in

(Continued on page 2)

Federation Ad Code Comes Up This Week

Codes of ethics for independent production and advertising as planned by the Federation of the M. P. Industry were delayed when a scheduled meeting of the organization's standards committee failed to materialize last week. The committee is

(Continued on page 6)

Roxy Taxes Will Be Paid in Small Sums

Having already paid $65,000 of the $218,000 in back taxes due the city, Howard S. Cullman, receiver for the

(Continued on page 6)

Charging They're Receiving Cuts, Operators File Kicks

WASHINGTON, Jan. 7.—Operators' locals in many sections of the country are understood to have filed protests with the NRA, charging their members are facing, or have been compelled to take, wage cuts counter to the spirit of the Recovery Administration's program.

The complaints are reported to tie in with an official statement sent throughout the country by William C. Elliott, president of the I.A.T.S.E., in which he said:

"If at the present time you have a signed contract with a theatre to fur-

(Continued on page 6)

Reading Wrong Book

Hollywood, Jan. 7.—Warners came in for a nifty publicity break on the M-G-M lot when the latter studio completed a poll of the most popular novel among its stars and players.

The survey showed that 44 of 52 contract performers voted in favor of "Anthony Adverse," the 1,200-odd page tome by Hervey Allen.

Warners will produce it.

B'way Duals In Fight for Films, Trade

A price war among double featuring subsequent runs in the Times Square area is growing, in addition to a product shortage for these houses, as a result of the spread of the dual bill policy at 15 cents along the Broadway front.

Loew's New York, which for some time enjoyed the Times Square subsequent run trade virtually alone, gives evidence of feeling the effect of the increasing competition both on product availability and admissions, by switching this week from a daily change to

(Continued on page 6)

Vacancies on Authority to Await Appeals

Appointment of the two remaining government Code Authority representatives is not expected until appeals from grievance boards are brought to the attention of the authority. The complaints, naturally, will await establishment of the 32 boards.

It is pointed out that the Code Authority is now in process of organization with Division Administrator Sol A. Rosenblatt supervising as a government representative. Rosenblatt has no vote in the proceedings,

(Continued on page 6)

Let's Clean UP as Well As ON Pictures—Mickey

By ICKEMAY OUSEMAY

Wring out the old! Ring in the new! It's a Disney world after all!



It took "Three Little Pigs" to bring home the bacon. And exhibitors learned that instead of chasing The Big Bad Wolf from the door, it's more profitable to invite him into the house.

Nineteen thirty-three taught us that Walt draws as well as ever, that the Silly Symphonies in color draw as well as Walt, that Minnie and I are still draws—as nice a pair of draws as any exhibitor ever put on—his screen. Nineteen thirty-three also taught us that the public still craves wholesome entertainment — "Gallant Ladies" and "Little Women"—instead of wild ones. Let's clean up—as well as on—motion pictures.

Nineteen thirty-four looms up gloriously. The storm is stilled. With cool mind and steady hand, our captain, F. D., is guiding the Ship of State to the Port of Recovery. We in the motion picture business are doing our part by giving work to

(Continued on page 2)

Publicity on Code Choices Set for Start

First List of Nominees Out Tomorrow

Start of a publicity campaign on names received by the Code Authority for nominations to the 64 clearance and zoning and grievance boards gets under way tomorrow when the first batch of 400 recommendations by industry representatives throughout the country will be released officially by the body. The recommendations, which have been pouring in, will be card indexed by zones and listed in the files of Executive Secretary John C. Flinn.

Endorsements or other comments on names recommended for the various posts must be sent to Flinn's office. Nominations for appointments on the two boards close at midnight, Jan. 20, and all code assents must be in the mail by Jan. 31. The preliminary work of choosing names for the clearance and zoning and grievance boards will get under way Jan. 21 and all selections

(Continued on page 6)

No Famous Theatre Creditor Dividend

No cash dividend will be paid to outside creditors of Publix Enterprises by Famous Theatres Corp., its successor, prior to Feb. 10, at which time a current offer to satisfy approved claims of creditors by an exchange of securities of Famous Theatres will expire. All of the approved intercompany claims against Publix Enterprises are being satisfied in this way.

Approximately $600,000 of outside creditors' claims have been approved, the largest of which is that of Com-

(Continued on page 6)

Slender Hope Held For ITOA-306 Deal

Slight hope is seen for the success of the efforts by Local 306 and the I.T.O.A. to establish a basic wage scale for local theatres. Several meetings between the union and exhibitor unit have been held and another is slated for Thursday at Milton C. Weisman's office. He is attorney for the I.T.O.A.

At the last meeting, Harry Sherman, president of Local 306, sub-

(Continued on page 6)

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Let's Clean UP as Well As ON Pictures—Mickey

Personalities With Stories Needed—Kent

(Continued from page 1)

ties, he delved into box-office records of 1933 and appeared content to rest his contention on the record.

"A lot of fine pictures distributed last year by all producers failed to click due to a lack of names to pull in the public in a shopping market," he said.

The Fox president's immediate task, now that he has returned, is to set up a budget on which his company will operate for the first fiscal quarter of the new year. He made the statement recently that the budget, plus the course of business in the next few weeks, would be determining factors in deciding whether or not partial or all salary restoration would be extended company employes.

Johnsons Return Soon

CHANUTE, Kan., Jan. 7.—Airplanes are expediting the work of Mr. and Mrs. Martin Johnson, who are making a jungle picture in Africa, and the explorers expect to return to America months ahead of schedule, they have informed relatives here.

"Lovers" Take Air

M-G-M is seeking to build advance interest in "Fugitive Lovers," which opens at the Capitol Friday through a series of three five-minute serial broadcasts over Station WOR at 6:45 P.M. tonight, Wednesday and Friday.

Maureen O'Sullivan Back

HOLLYWOOD, Jan. 7.—After an illness of a month following an operation for appendicitis, Maureen O'Sullivan returned to work yesterday on "Tarzan and His Mate" at M-G-M.

(Continued from page 1)

thousands and happiness to millions.

Let's do more in 1934! America, there's your slogan!

During the 12 months to come, my boss, Walt Disney, will make 13 Silly Symphonies in Technicolor! Will their faces be red—and green and blue and purple and yellow! Hue said it!

And he'll also make 13 Mickey Mouse productions. So while the Sillies go right on lending color to the industry, just tell the world that Mickey and Minnie will continue to keep every exhibitor on earth (and other places) in the black—and white.

Coast Putting 31 Features in Work

(Continued from page 1)

work as compared to 26 and five for the week just ended.

M-G-M continues to lead with the largest number of features in work, reporting six working, three preparing and 11 in the cutting rooms. Warners follow a close second with five working, three preparing and 14 editing. Fox has four, four and five; Paramount, three, six and seven; Radio, three, zero and six; Columbia, one, five and six; 20th Century, one, zero and zero; Universal, zero, two and zero. The independent group shows three, eight and five.

The short subject group shows a total of five shorts in work, 15 preparing and 18 editing. M-G-M has one, two and two; Radio, one, one and six; Roach, zero, three and three; Universal, zero, one and two; Columbia, zero, two and two.

Radio and Warners Agree

HOLLYWOOD, Jan. 7.—It looks as though Radio and Warners have settled their difficulties over Leslie Howard, who was wanted by both studios at the same time.

Radio has pushed "Of Human Bondage" forward to March, giving Howard time to make a picture for Warners during January and February.

Nelson Eddy Re-Signed

HOLLYWOOD, Jan. 7.—Nelson Eddy has cut his concert tour short because he carries a new contract with M-G-M. He was to have returned in May, but will report in March for a role in the musical version of "The Prisoner of Zenda."

Fox Re-Signs Rogers

HOLLYWOOD, Jan. 7.—Will Rogers has signed a new long term contract with Fox. He is now working in his 14th picture for this company, "David Harum," and is starting his sixth year.

Englewood Is Sold

Walter Reade has bought the Englewood Theatre, on Main St., that town, from Frederick Brown. The house has a seating capacity of 850 and is assessed at $225,000.

Cleveland Jumps 40%

CLEVELAND, Jan. 7.—Nat Wolf, Warner zone manager, reports Warner houses in his territory during the holidays, went 40 per cent over the same period of the previous year.

To Show "Catherine"

LONDON, Jan. 7.—"Catherine the Great," produced by London Film Prod., Ltd., with Douglas Fairbanks, Jr., will be trade shown at the Prince Edward on Jan. 16.

Griffith to Dallas

DENVER, Jan. 7.—R. E. Griffith, president of Westland Theaters, Inc., and an executive of Griffith Amusement Co., Oklahoma City, has moved his family to Dallas.

Trading Light—Market Steady

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	23	23	23	— ½	100
Consolidated Film Industries	3¼	3¼	3¼	+ ⅛	100
Consolidated Film Industries, pfd	11⅜	11⅜	11⅜	+ ¼	100
Eastman Kodak	79½	79½	79½	— ½	100
Loew's, Inc.	26¼	25¾	26	.....	800
Pathe Exchange "A"	10⅝	10⅝	10⅝	.....	300
RKO	2½	2½	2½	.....	100
Warner Bros.	5	4⅞	4⅞	— ⅛	2,900

Curb Issues Slump Slightly

	High	Low	Close	Net Change	Sales
Technicolor	8½	8½	8½	— ⅜	100
Trans Lux	3	2⅞	2⅞	— ⅛	300

Paramount Publix Bonds Off One

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	37⅞	31½	37⅞	+ ½	14
General Theatre Equipment 6s '40 ctf	35⅝	31½	35⅝	+ ⅝	8
Loew's 6s '41 ww deb rights	87	86¾	87	+ ¾	2
Paramount Broadway 5½s, 51	30½	30½	30½	— ½	5
Paramount Publix 5½s, '50	29½	29½	29½	—1	5
Warner Bros. 6s '39 wd	41½	41⅜	41½	.....	5

Purely Personal

HELEN WESTLEY, director of the New York Theatre Guild, has been chosen by DARRYL ZANUCK to play the role of Gudula Rothschild in "The House of Rothschild.

SIDNEY SINGERMAN, assistant western sales manager for Universal, is spending a two weeks' vacation at Palm Beach.

HOWARD HAWKS is looking over New York plays before starting Columbia's "Twentieth Century."

HELEN MORGAN has been signed by Education for "One Little Smile," one of the Song-Hit series.

WILLIAM GARGAN is in town for a short vacation.

William Kinsley Arrested

CINCINNATI, Jan. 7.—William Kinsley, assistant manager and treasurer of the RKO Lyric, who disappeared about 60 days ago, has been arrested at New Orleans on an embezzlement warrant sworn to by local RKO officials.

He will be returned here to face the charge.

Pickford Chicago Hit

CHICAGO, Jan. 7.—Mary Pickford is a big hit at the Chicago, having opened yesterday to capacity. With help from the weather man, it is believed she will flirt with the house record.

Waxman Handling Film

A. P. Waxman will handle advertising, publicity and exploitation on Messmore and Damon's "World a Million Years Ago," which opens at the Warner Jan. 18. This was one of the attractions at the World's Fair.

Metzger Leaves

Lou B. Metzger left for San Diego Saturday, but returns to New York in a couple of weeks en route to Europe.

THE MAYFLOWER
61st STREET, (Central Park West)
New York City

CONVENIENT TO THE FILM AND THEATRICAL CENTER

1-2-3 Rooms. Full Hotel Service
FURNISHED OR UNFURNISHED
By the Year, Month or Day

Serving Pantries
Electric Refrigeration

JOHN W. HEATH, *Manager*

ride the crest of america's whirlwind comeback with

WARNER BROS.

the

.000 YEARS
SING SING
NG'S VACATION
REAU OF MISSING PERSONS
E WORLD CHANGES
NNEL MURDER CASE
RTY SECOND STREET
N OF A SAILOR · I LOVED A WOMAN
VANA WIDOWS · THE LITTLE GIANT
DY KILLER
OUSE ON
TH STREET

PICTURE
SNATCHER
SILVER DOLLAR
CONVENTION CITY
GOLD DIGGERS
OF 1933

VOLTAIRE
THE WORKING MAN
MARY STEVENS, M. D.
I'M A FUGITIVE FROM A CHAIN GANG
ELMER THE GREAT
GOODBYE AGAIN
FOOTLIGHT
THE MAYOR
PARADE
OF HELL
KAY FRANCIS
MARG. LINDSAY
MENJOU · RUBY KEELER · BETTE DAVIS
DICK POWELL · MacMAHON
O'BRIEN · AL JOLSON
TALBOT

MUNI
STANWYCK
BARTHELMESS
CAGNEY
ROBINSON
JOE E. BROWN
BLONDELL
WM. POWELL
DVORAK
DON. WOODS
JEAN MUIR · HAL LeROY
GLENDA FARRELL

COMPANY

Yesterday—Today—Tomorrow

FOLLOW THE LEADERS...turn over

WARNER BROS. *paved the way!*

WARNER BROS. *hold the way!*

Let's go **1934!**

WITH

The screen's blazing fire-brand in the greatest show of his career! Liberty Magazines most popular story for 1933

PAUL MUNI

in

"HI, NELLIE"*

(Two little words that mean B. O.)

with GLENDA FARRELL
NED SPARKS
Direc. by Mervyn LeRoy

Savage Blood Runs Wild Again! . . . .

BARTHELMESS

in

"MASSACRE"°

ANN DVORAK
CLAIRE DODD
DUDLEY DIGGES
The greatest INDIAN story of all times!
Direc. by Allan Crosland

Screen's First Fashion Extravaganza — Myriad Wonders in Clothes, Girls, Music . . .

"FASHION OF 193

Starring William Pow
Bette Davis, Fre
McHugh, Veree Teas
Hugh Herbert—dire
by Dieterle — Nun
staged and direct
Berkeley

*A Warner Bros. Picture °A First National Picture Vitagraph, Inc., Distributors

1934 Greets the Rising Star Who Takes Her Place Among the Screen's Greatest! . . .

KAY FRANCIS

in

"MANDALAY"

RICARDO CORTEZ
LYLE TALBOT
WARNER OLAND
Direc. by Michael Curtiz

The star and author of "Little Caesar" link their genius in a greater triumph! . . . . .

ROBINSON

in
W. R. Burnett's
great book-of-the-month

"DARK HAZARD"

GENEVIEVE TOBIN
GLENDA FARRELL
Directed by Al Green

The picture that will top the best of 1934's best — from the novel . . . .

"AS THE EARTH TURNS"

JEAN MUIR
DONALD WOODS
Directed by Al Green

Towering above any other picture ever made! The one and only . . . . . .

WONDER BAR"

Introducing among others AL JOLSON, KAY FRANCIS, DOLORES DEL RIO, RICARDO CORTEZ, DICK POWELL, HAL LeROY, GUY KIBBEE 600 beautiful girls—5 sensational spectacles—6 song hits—Directed by Lloyd Bacon — Numbers staged, directed by Busby Berkeley

NOW IN PREPARATION

ANTHONY ADVERSE

NAPOLEON: His Life and Loves

DU BARRY

CLASSMATES

HAROLD TEEN

Publicity on Code Choices Set for Start

(Continued from page 1)

will be checked with the list of compliances. No one will be selected for any of the 32 zone posts unless he has signed the compliance form.

Following the naming of set-ups of the two boards in the 32 zones, approval of Division Administrator Sol A. Rosenblatt will be required. It hasn't been decided yet whether official appointments by the authority will be announced for the country or by zones.

From all indications now, clearance and zoning boards will not be set to function until late February, or early in March.

Authority Vacancies To Await Appeals

(Continued from page 1)

but advises the authority of the government's opinion on matters pertaining to organization structure.

Whether Dr. A. Lawrence Lowell will withdraw his resignation and accept the Code Authority post has not yet been decided. If he continues adamant, his successor will be announced about the same time the third government representative, a woman, will be selected.

Nebraska-Iowa Men Will Discuss Code

OMAHA, Jan. 7.—M. P. T. O. of Nebraska and western Iowa is sponsoring a two-day meeting of all exhibitors in this territory on Jan. 9 and 10 to discuss the code with particular regard for regional issues. Invitations have been sent to more than 200 independent operators, according to C. E. Williams, M. P. T. O., president.

Roxy Taxes Will Be Paid in Small Sums

(Continued from page 1)

Roxy, hopes gradually to diminish the balance by small payments from time to time. The court must approve all payments recommended by the receiver.

Reorganization plans have not progressed since the hearing of the receiver's report before Federal Judge Francis G. Caffey on Dec. 12. At that time Carlos S. Israels, attorney for the first mortgage bondholders, advised the court four different plans were under consideration and that he anticipated closing one deal before the expiration of the extended receiver's term, June 12.

Federation Ad Code Comes Up This Week

(Continued from page 1)

now slated to meet early this week to begin work on the codes.

Temporary headquarters of the Federation have been established at P. S. Harrison's office, 1440 Broadway, pending choice of a location at 723 Seventh Ave.

Charging They're Receiving Cuts, Operators File Kicks

(Continued from page 1)

nish operators or stagehands for more than 40 hours per week for a set price, you will have to work out your contract and supply the additional men at no cost to the employer."

The claim is advanced, therefore, that while trimming working hours to increase the spread of employment is in keeping with the letter of the NRA, any enforced salary reductions traveling hand in hand with reductions in working hours to fit in with the 40-hour maximum limit fixed in the code are not.

On protest of James F. Burke, business agent of the Boston operators' local, it is reported Division Administrator Sol A. Rosenblatt has ruled the Hub City local is an exception and is said to have permitted its men to continue their current contract of 49 hours weekly at the rate of seven working hours per day, seven days per week. This will mean a saving of $75,000 a year to men currently enrolled in that union. Burke's protest is believed to have hinged on the statement his union had no men on the bench awaiting jobs and that it had no way of acquiring them.

The exception made in this case is apt to result in a flood of additional protests and appeals for similar action from other cities, the understanding here appears to be.

An investigation conducted by *International Projectionist*, which has been waging a campaign for clarification of code provisions relative to operators, shows 6 codes submitted to and approved by the President between July 9 and Nov. 17, 1933, contain a general provision that compensation is not to be reduced, although hours of labor are, according to its editor, James J. Finn. He says the film code is silent on this point and demands to know why.

New Union to Hear Speech by Mitchell

Theodore Mitchell, head of the Theatre Agents' and Managers' Ass'n, is on the list of speakers who will address the first mass meeting of members of the recently organized Local 118, Building Service Employes Union, to be held at Bryant Hall tomorrow night.

The organization now claims more than 1,600 members in the Greater New York area, comprising ushers, doormen, ticket takers, cashiers, janitors and scrubwomen. New wage scales for each employe classification will be set by the meeting and employed as the basis of collective bargaining for higher wages during subsequent meetings with theatre operators.

Amity Sets Exchange

John M. Crinnion, Amity president, has closed a deal with a group headed by Ben Schwartz, Henry Horowitz and Sol H. Kravits to distribute Amity product through a New York Amity exchange. Also included in the agreement are the rights to distribute Tiffany and Quadruple pictures recently acquired by Amity from Fox.

Slender Hope Held For ITOA-306 Deal

(Continued from page 1)

mitted a scale for independent theatres. Harry Brandt, head of the exhibitor organization, did not. It was agreed that Brandt would secure a list of authorizations from his members who want to be included in the negotiations Thursday. The I.T.O.A. meets the day before.

In a campaign to get its membership up to date, the I.T.O.A. expelled the Springer and Cocalis circuit, the first in the drive. Unless the A. H. Schwartz group pays its dues in a short time it will be the next to be dropped from the ranks.

Code violation charges against the unit will come up for hearing before the NRA tomorrow.

No Famous Theatre Creditor Dividend

(Continued from page 1)

mercial Investment Trust, Inc., for $345,000. Famous Theatres' offer to settle these claims provides for the issuance of one share of its preferred for each $200 of claims. Assuming par value of the stock to be $100, the settlement offered would be on the basis of 50 cents on the dollar. Any cash settlement made will be on the basis of 35 cents on the dollar. Outside creditors have been given 40 days in which to decide on acceptance or rejection of the stock settlement offer, during which time no cash dividend will be paid by Famous.

A number of contested creditors' claims still remain against Publix Enterprises, and may involve litigation. Irving Trust Co. does not withdraw as trustee in bankruptcy for Publix Enterprises until these have been finally settled.

Expect P-P Trustee Rule

A ruling by the U. S. Circuit Court of Appeals here on an action seeking the removal of the Paramount Publix trustees in bankruptcy is expected to be handed down today. The action was brought by Samuel Zirn, attorney for a Paramount Publix bondholders' group, and arguments were heard by the court last month.

Frank Culp Resting

DENVER, Jan. 7.—Frank Culp, formerly city manager for Fox and now booking, has taken a leave of absence because of illness, and will spend some time in California for his health. His job will be filled by Bill Dollison, moved over from the Salt Lake City office.

Goldsmith to Make Four

HOLLYWOOD, Jan. 7.—Ken Goldsmith will make a series of four outdoor pictures starring Jackie Searle, Lobo, the dog, and Bingo, the horse. The first will go into production on March 1.

B'way Duals In Fight for Films, Trade

(Continued from page 1)

a three-changes-a-week policy and reducing admissions from 25 cents to 15 cents. The Cohan, two blocks below the New York on Broadway, is double featuring revivals at 10 and 15 cents, as is the Globe, two blocks up on the other side of Broadway. Shortage of product set the policy of each.

Gaiety Takes What It Can

The Gaiety, former roadshow house, takes what it can in product, but makes an effort to get pictures as soon as possible. The tariff has been 25 cents there, but will undoubtedly be forced down by new developments. The Waldorf, on 49th Street near Radio City, entered the arena recently with comparatively new pictures double featured at 15 cents. The Broadway, at 53d St., made a brief bid for the "drifters'" trade on upper Broadway, offering double features and vaudeville for 25 cents, but went dark at holiday time, convinced that there wasn't enough business to go around.

A half-dozen houses along 8th Ave. and on 42nd St., double featuring at 10 and 15 cents, are also drawing some of the Times Square trade for this type of program. Among these is the Harris, West 42nd St., which on Saturday ran "Gold Diggers of 1933," "The Fighting President" and five Disney shorts for 10 cents in the afternoon.

Others May Join Them

Additions to the list of houses in this competitive circle may come soon, with both the Criterion and the Embassy reported considering a double feature, low admission policy. The Criterion is now playing "Emperor Jones" on a return date at 25 cents and on the conclusion of the run may go to duals if product is available. The Embassy, recently closed as a newsreel house, may be reopened with duals.

The result of the spread of the policy is that none of the houses involved in the competition is reported doing consistently good business, most of it depending upon appearance on the program of an exceptional drawing card, a comparatively recent release, which is rare, and on weather conditions.

Warners Plan $10 "Fashions" Opening

As the initial step in an elaborate national exploitation campaign a premiere at $10 top is planned by Warners for "Fashions of 1934" at the Hollywood Jan. 18. A fashion parade will be held on the stage in conjunction with the opening.

Following New York, the film will be booked into key theatres over the country. Special exploitation men will be sent from the home office to handle each showing.

Warner to Coast

Harry M. and Mrs. Warner sailed for Hollywood on Saturday.

UNIVERSAL NEWSREEL

first again!

Once more the newsreel with Graham McNamee as the Talking Reporter hits the screens of the country FIRST with a big, important news event! . . . . Universal Newsreel No. 212, released in New York January 5, contained the first pictures of the Xmas Eve train crash near Lagny, France, which took a toll of more than 200 lives! . . . Every other reel had the same opportunity as Universal, but Universal hit the screen F I R S T - - - - as usual!











Announcing

The STUDIO NUMBER

A forthcoming special edition

of

MOTION PICTURE DAILY

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 35. NO. 7 NEW YORK, TUESDAY, JANUARY 9, 1934 TEN CENTS

No Operators' Protests Yet To Rosenblatt

He Declares Situation Is Being Adjusted

WASHINGTON, Jan. 8.—No complaints of wage cuts have been received by the Recovery Administration for operators, it was said today by Division Administrator Sol A. Rosenblatt.

Commenting upon the story printed today in the MOTION PICTURE DAILY, Rosenblatt declared that the situation was being adjusted throughout the country on the basis of the conditions

(*Continued on page 16*)

Horan Sees Union As No New Burden

CHICAGO, Jan. 8.—Organization of janitors, window washers, ushers and doormen will not inflict any appreciable burden on theatres, according to Jerry J. Horan, president of the Building Service Employes International.

Horan will leave for the east shortly to confer on wage scales.

"I have no interest in ticket sellers," Horan told MOTION PICTURE DAILY, "and I am not sure just what will be done about ticket takers. If ticket

(*Continued on page 7*)

Code Acceptances Go To N. Y.—Rosenblatt

WASHINGTON, Jan. 8.—With a large number of code acceptances coming to Washington, Division Administrator Sol A. Rosenblatt today asked that all such documents be filed directly with John Flinn, secretary of Code Authority.

The sending of acceptances to Washington, Rosenblatt said, merely imposes upon his office the task of forwarding them to New York.

Last Batch of Code Forms Is Sent Out

The final batch of 20,000 code compliance forms was sent out yesterday by the Code Authority. This batch was sent to nearby towns. The first list was mailed to far west points in order to give coast exhibitors and distributors earliest possible delivery and urge early mailing in of the signed compliances.

Board Nominees Pouring in; 200 from 23 Cities Listed

Initiating its publicity campaign on recommendations for posts on the 64 clearance and zoning and grievance boards, the Code Authority today makes known 200 suggestions for candidacy. This is the first batch and others are expected to be released daily as they come in. Exclusive of Portland, Me., which is considered only as a distributing center, 23 key cities are covered thus far.

Those making recommendations are not listed, but anyone desiring to name a distributor or exhibitor to one of the 64 posts is invited to do so by the Code Authority. According to the first list, the following territories did not report: Charlotte, Des Moines, Indianapolis, Memphis, New Haven, New Orleans, Seattle and Washington.

Suggestions from the territories already heard from are not final. Recommendations may be made up until midnight Jan. 20. In the initial release, Kansas City and Cleveland headed the list for the greatest number of names, each recording 19.

Unusual in the list of names is the fact that Meyer Schine has been suggested at Cincinnati, Buffalo and Cleveland, which serve his theatres. Whether he will be nominated for posts in

(*Continued on page 16*)

Bending an Ear

Fox Movietone, which recently stepped out of the Newsreel (Embassy) Theatre when its lease ran out, is understood to be considering the Criterion.

Trustees Stay On Para. Job, Court Decides

Charles D. Hilles, Eugene W. Leake and Charles E. Richardson, were retained as Paramount Publix trustees in bankruptcy and commended on their records in an opinion written by Judge Martin B. Manton yesterday for the U. S. Circuit Court of Appeals here in which a petition for their removal was denied.

The action seeking the removal of the trustees was brought by Samuel Zirn, attorney for a small Paramount Publix bondholders' group, and alleged that Hilles was disqualified for

(*Continued on page 3*)

Price War to Stop Feb. 2 In St. Louis

ST. LOUIS, Jan. 8.—The local price war, initiated with the invasion of Fanchon and Marco in this city, draws to a close when on Feb. 2 the St. Louis increases matinee and evening admissions. When F. & M. took over the house about three months ago, scales were slashed and all kinds of threats were leveled at Harry Arthur and Harry Singer.

On the first Friday in February the St. Louis hikes its afternoon admission from 25 cents to 35 cents and the evening price will scale at 55 cents, an

(*Continued on page 3*)

New Year's Grosses Get 1934 Off to Fast Start

Extra New Year's shows got key city houses off to a cheerful start, with grosses in some spots, Boston, Philadelphia, Chicago, Pittsburgh and a few others reaching unusual proportions.

"Dinner at Eight," "Mr. Skitch," "Roman Scandals" and "Little Women" were the big money-makers.

Chicago popped out of its recent doldrums, with "Mr. Skitch" leading the parade at B. & K.'s Chicago, helped by a stage show that included Borrah Minnevitch and Roy Atwell. The take, $43,000, was over par by $9,000. "Flying Down to Rio" was strong at the Palace with $25,000, and "Roman Scandals" was a $24,000 smash in its second week at the United Artists.

Boston kept up the pace it has

(*Continued on page 3*)

Roxy Resigns Post as Head Of Music Hall

Rumors Link His Name To Former House

S. L. Rothafel ("Roxy") yesterday announced his resignation as managing director of the Music Hall, effective Feb. 16. Reports immediately linked him with a story current and recurrent for weeks, that he would return to the original Roxy, which was promoted by Herbert Lubin, although Roxy himself had no comment to make in that connection. The truth of such reports was denied yesterday by Howard S. Cullman, receiver for the theatre.



Samuel L. Rothafel

The resignation came as no sur-

(*Continued on page 6*)

Yamins Dinner Set For Boston Tonight

BOSTON, Jan. 8.—A dinner to Nathan Yamins, president of Independent Exhibitors, Inc., and a member of Code Authority, at the Copley-Plaza Tuesday evening will climax a one-day convention of the exhibitor organization which gets under way in the morning.

Division Administrator Sol. A. Rosenblatt has been invited to attend as have other members of Code Authority. Charles L. O'Reilly and W. Ray Johnston have accepted.

Saperstein Summons Code Talk Meeting

CHICAGO, Jan. 8.—A 14-page code analysis by Abram F. Myers of Allied States will serve as the basis for a meeting of local exhibitors called by Aaron Saperstein for the Congress Hotel Wednesday to discuss signing of the document.

Exhibitors will be told that one of three choices faces them: Sign the code as it stands; refuse to sign, or sign with the prepared reservation of

(*Continued on page 3*)

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Paramounteers Traveling

HOLLYWOOD, Jan. 8.—John Hammel and Robert Gillham arrive from New York today.

ATLANTA, Jan. 8.—George J. Schaefer arrived from New York today to start the first of a two-day sales meeting here. He leaves Wednesday night for Dallas for conferences with Interstate executives.

Levine Due in N. Y.

Nat Levine is due from coast either tomorrow or Thursday. He left Hollywood late last week and is making stopovers in Kansas City, Omaha and Chicago. He'll be in town for one week before heading west again.

Grainger Returns

James R. Grainger, general sales manager of Universal, arrived in New York yesterday from a five weeks' sales trip during which he also visited Universal City.

Issues Steady in Sliding Market

	High	Low	Close	Net Change	Sales
Consolidated Film Industries	3⅛	3⅛	3⅛	— ⅛	100
Consolidated Film Industries pfd.	11⅜	11¼	11¼	— ⅛	700
Loew's, Inc.	27¼	26¾	26¾	+ ¾	800
Paramount cts.	1⅞	1¾	1⅞	.....	2,700
Pathe Exchange	1½	1½	1½	.....	200
Pathe Exchange "A"	10¾	10½	10½	— ⅛	400
RKO	2½	2⅜	2⅜	— ⅛	700
Universal Pictures pfd.	16⅞	16⅞	16⅞	—1⅛	1,000
Warner Bros.	5	4⅞	4⅞	.....	1,300

Technicolor Off ⅜ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	8⅛	8⅛	8⅛	— ⅜	100

Paramount F. L. Bonds Gain ⅛

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	3½	3¼	3¼	— ⅝	10
Loew's 6s '41 ww deb rights	86¼	86¼	86¼	— ¾	1
Paramount Broadway 5½s '51	30	30	30	— ½	1
Paramount F. L. 6s '47	30	29⅛	29⅝	+ ⅛	18
Paramount Publix 5½s, '50	30	29¼	29¼	— ¼	16
Pathe 7s '37 ww	88	88	88	.....	5
Warner Bros. 6s '39 wd	41½	41¼	41¼	— ¼	8

Marc Bowman Married

SEATTLE, Jan. 8.—Marc Bowman, recently appointed manager of Jensen-VonHerberg's Roxy, surprised his friends this week by announcing his wedding to Miss Grace Marquis of Portland on Jan. 1. The new Mrs. Bowman is a newspaper woman.

Kusell Plans Trip

Milt Kusell, eastern captain in the Paramount Victory Drive leaves the end of the week for New England, Pittsburgh, Columbus, Cleveland and Cincinnati for conferences with exchange forces in connection with the drive.

Goldwyn to Moscow

Samuel Goldwyn arrives in town this morning from the coast for a few weeks' visit before sailing for Moscow. He also plans a visit to London while abroad.

Goldwyn brought with him the first print of "Nana," starring Anna Sten.

Notables Due Today

Arriving on the *Ile de France* today are Harpo Marx, Maurice Chevalier, Eric Charell, London theatrical producer; Marcel Vallee and Charles Boyer, French film stars, and Abram Frankel, French film distributor.

Randell Induction Wed.

Induction of Henry Randell as president of the New York Film Board takes place tomorrow evening at the M. P. Club. Following the session, local exchange managers will attend the Ziegfeld Follies.

J. L. Schnitzer Here

Joseph I. Schnitzer, president of Jefferson Pictures, arrived from the coast yesterday.

Purely Personal

SOL EDWARDS, assistant sales manager for Educational, left yesterday for a tour of Fox exchanges. He will stop at Cleveland, Cincinnati, Indianapolis, St. Louis, Kansas City, Omaha, Des Moines, Minneapolis and Chicago.

CARL BRISSON, London stage and screen actor, arrives in New York today aboard the *Aquitania* on his way to the coast, where he will appear in pictures for Paramount.

BEN BERINSTEIN, head of the M.P.T.O. of Southern California, arrives from Los Angeles today for a confab with ED KUYKENDALL, M.P.T.O.A. president.

HOWARD HAWKS, under contract to Columbia to direct "Twentieth Century," will arrive in town today for a look at current stage plays.

SADIE FEUERSTEIN, secretary to Al Lichtman, will be married within the next few weeks.

AL CHRISTIE is back in town from Hollywood to resume work at the Eastern Service Studios.

ADOLPH ZUKOR is planning to leave for the coast either today or tomorrow.

MAX COHEN, sales manager for the Universal New York exchange, is back from a Bermuda vacation.

WILLIAM SCULLY returns either today or tomorrow from a southern sales trip for M-G-M.

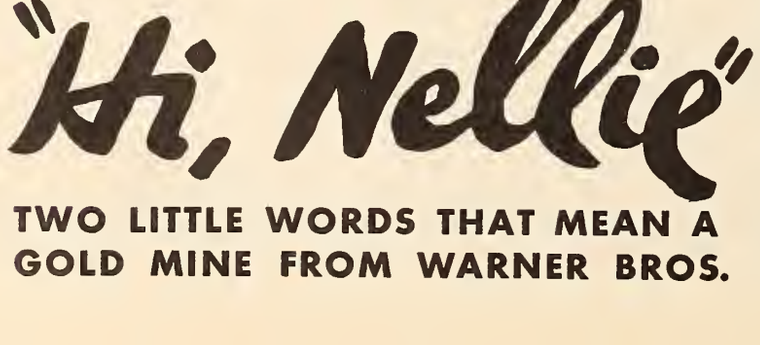
FRED MCCONNELL, sales manager for A. J. Van Beuren, is home with a heavy cold.

LEO ABRAMS has gone to Miami on a two weeks' vacation.

WILLIAM FERGUSON returns today from a trip down south.

DOLORES DEL RIO gets into New York from the coast today.

ROLAND PERTWEE, English author, has been signed to write for Columbia.



Spot News from Columbia



Can this cock-eyed world take it? Listen to the howls of your audiences when John P. Medbury does the ribbing in "LAUGHING WITH MEDBURY". One reel long and one long laugh.



Set your dates now for "LET'S FALL IN LOVE," musical romance featuring Edmund Lowe, Ann Sothern, Miriam Jordan and Gregory Ratoff. Opened at Lafayette, Buffalo, to S. R. O. business despite raging blizzard.



Colleen Moore at her sparkling best in a delightful comedy drama, "SOCIAL REGISTER," and superbly supported by a cast of Broadway favorites. Directed by Marshall Neilan.



Frank Borzage's great production, "A MAN'S CASTLE," did such a tremendous business at the Rialto Theatre on Broadway it is now being held for a second week! Spencer Tracy and Loretta Young head a superb cast.

Trustees Stay On Para. Job, Court Decides

(*Continued from page* 1)

the post because of a former association with the Bankers' Trust Co., underwriter of a Paramount Publix refinancing plan with 11 other banks, and that Leake and Richardson, formerly in executive capacities with Film Securities Corp. and Fox Film Corp., respectively, rather than being disqualified by these associations as charged in the complaint, were actually of greater value to Paramount because of them.

The opinion also endorsed all actions taken by Henry K. Davis, referee in bankruptcy for Paramount Publix, in the conduct of the election of the trustees and in subsequent procedure.

Referring to Hilles, Judge Manton's opinion stated that he "seems to have acted in full performance of his duty toward the creditors with regard to ligigation" to set aside the $13,200,000 refinancing program of 1931 with which Hilles's former bank was associated.

The opinion also found Hilles to be "accustomed to conducting large business affairs, and has imposed upon him now a trusteeship fraught with serious responsibilities, and has exhibited all the marks of integrity of purpose in fullfilling that trust, and under these circumstances should not be removed." The opinion noted that Hilles "had severed his directorship in the Bankers' Trust Co. at once."

The abilities of Leake and Richardson and their experience in the film industry was regarded in the opinion as reasons for their election as trustees and did not serve to disqualify them, as charged in Zirn's complaint.

Zirn first sought the removal of the three trustees and of Referee Davis last spring in an action subsequently denied by the U. S. District Court here. His action denied by the higher court yesterday was heard a month ago. Zirn said yesterday he would take the case to the U. S. Supreme Court at Washington.

No Code Action by New Jersey Allied

No action on the code was taken by Allied of New Jersey at its meeting yesterday. Sidney Samuelson, president, stated his unit had not been requested to sign the code, as assent was an individual exhibitor matter.

At Code Authority headquarters it was stated that while no provision was made in the form sent out all units are expected to sign the assent blank.

Saperstein Summons Code Talk Meeting

(*Continued from page* 1)

leaving the matter open to court action.

A significant underscored paragraph in Myers' analysis reads: "You are not required to sign the code in order to register protest against clearance and zoning schedules before clearance and zoning boards or Code Authority. Allied has obtained a ruling from the NRA on this point."

New Year's Grosses Get 1934 Off to Fast Start

(*Continued from page* 1)

been maintaining in recent weeks and piled up a total first run gross of $129,000. This is $34,000 over normal. "Flying Down to Rio" pulled a big $23,000 at Keith's and "Dinner at Eight" hit $21,500 at Loew's State. "By Candlelight" was another hit with $23,000 at the Boston. "Havana Widows," helped by a stage show at the Metropolitan, was good for $33,500.

Providence went for "Dinner at Eight" with a rush and boosted Loew's State grosses $4,800 over par to $16,800. Business elsewhere was not affected seriously as a result. "Only Yesterday" and "Breed of the Border" on a dual bill at the RKO Victory reached $1,100, and "Design for Living" and "Rainbow Over Broadway" were strong at the Paramount. "Flying Down to Rio" and "Fog" at the RKO Albee, "Lady Killer" and "You Made Me Love You" at the Majestic, and "Havana Widows"' with a stage show at Fay's were average.

"Dinner" Denver Hit

"Dinner at Eight" was also a sensation in Denver. It hit $17,000 at the Denver, topping average by $11,500. Taken as a whole, it was a big New Year week for the Colorado city. "Alice in Wonderland" was $3,000 up at $11,000 in the Denham. "Counsellor at Law" was a $14,000 hit at the Orpheum. "Rex, King of Wild Horses" was a better-than-average attraction at the Tabor.

New Year's sent Philadelphia grosses skyrocketing. First run business reached $146,500. Average is $79,500. One of the outstanding draws was "Little Women," at $30,000, over normal by $18,000 at the Boyd. "The Girl Without a Room," helped by Ted Lewis and a revue at the Earle, reached $26,000, topping normal by $14,000. "I Am Suzanne" and a stage show at the Fox was $12,500 up at $26,500. "Dancing Lady" sent the Stanley gross $10,000 over par for a total of $22,000. The second week of "Roman Scandals" at the Aldine piled up $14,500, more than double the house average, and "Duck Soup," a second run at the Arcadia, was exceptionally strong at $6,500.

Pittsburgh Starts Well

Pittsburgh got off to a flying start for the new year with a total first run gross of $53,700, over normal by $16,700. Considerable credit for this went to "Dinner at Eight," which at $17,500 in the Penn, was over par by $5,500. "Girl Without a Room" at the Davis and "Hoopla" at the Fulton, the former playing four and the latter five days, were each over the six-day average. "Design for Living" was an oustanding draw at $13,750 in the Stanley, and "Convention City" was strong with $8,000 at the Warner.

"Flying Down to Rio" was an outstanding draw at Hamrick's Music Box, Portland. It reached $8,000, topping par by $5,000. "Mr. Skitch" and "The Thundering Herd," at the Paramount, hit $6,000, well over normal, and "White Woman," with Henry Santry and his band was strong at the Liberty. Total first run business of $26,500 was about $5,700 over average.

"Mr. Skitch" was the big holiday draw in Minneapolis and St. Paul with $8,500 in Minneapolis and $6,500 across the river. Holiday business boosted all takes. "Hoopla" took a total of $10,500, $6,500 in Minneapolis and $4,000 in St. Paul. One of the surprises of the week was $6,500 for "The World Changes" and "Fifty Million Frenchmen" at the RKO Orpheum.

"Dinner at Eight" was a smash in Cincinnati with a gross of $17,000 at the RKO Capitol. The ordinary take is $5,000.

"Dinner At Eight" moved into the Capitol after a run at the Astor, N. Y., and took $58,410, and "Roman Scandals" held up to $40,280 in its second week at the Rivoli. "Son of Kong" had a strong $39,235 at the Roxy and the Strand garnered $21,205 with "Lady Killer." "House on 56th St." was good for $8,287 in its fifth week at the Hollywood.

Wisconsin Case Up Soon

MILWAUKEE, Jan. 8.—Certificate of the referee for review of an order made by him on Dec. 14, denying the petitions of Wisconsin Amusement Enterprises, Inc., and Fox Wisconsin Co. for an order dismissing the petition of the trustee for an order to show cause why said theatre firms should not file schedules of assets and liabilities is scheduled for hearing Jan. 13 before District Judge F. A. Geiger.

Price War to Stop Feb. 2 In St. Louis

(*Continued from page* 1)

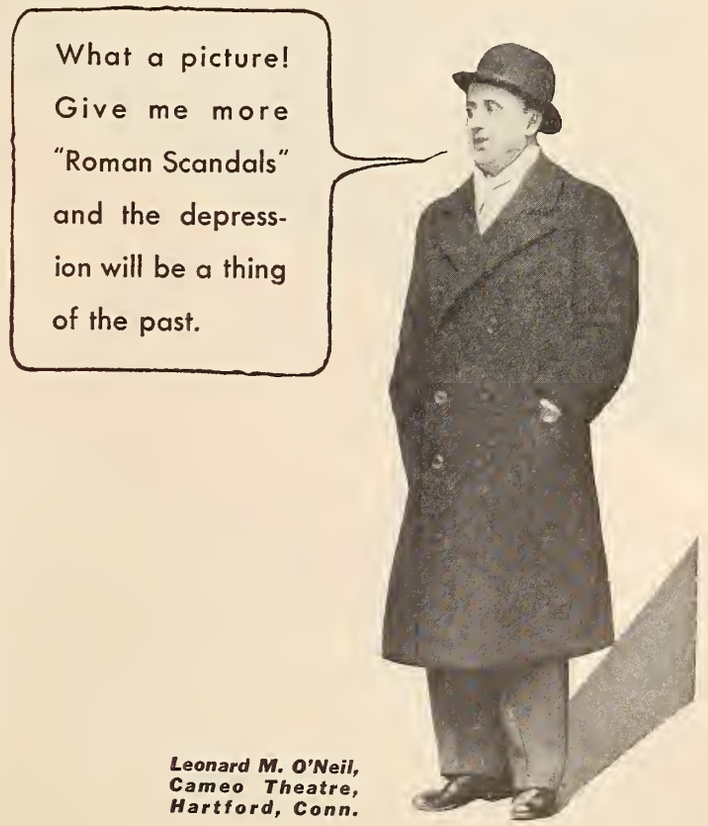
increase of 15 cents. The Fox, now operated by receivers, last week boosted the early prices from 20 to 25 cents and evenings from 35 to 40 cents. Stage shows at the Fox are scheduled to be dropped this week, the stage hands already having been notified to this effect.

With the ending of the price feud, another critical situation faces the downtown first runs. That's shortage of product which will close the Central, Skouras operated, this week. The St. Louis has first call on RKO and Columbia, the Fox on Fox films, the Ambassador, Missouri and Central on Universal, Paramount and Warner-First National and Loew's State on M-G-M and United Artists. Skouras is finding the film supply from the three companies insufficient at this time to keep three houses operating.

It is understood that the Fox and Missouri will change hands within the next week.

Photographers Elect

New officers have been elected by the International Photographers of the Motion Picture Industries, Local 644. They are: President, F. Walter Strenge; vice-president, Harry W. Smith; treasurer, Frank G. Kirby; secretary, Tom Hogan; business representative, O. V. Johnson; sergeant-at-arms, F. Landi; trustee for three years, Ray Foster.



Leonard M. O'Neil, Cameo Theatre, Hartford, Conn.

DOROTHEA WIECK and ALICE BRADY



"MISS FANE'S BABY IS STOLEN!"

with

BABY LE ROY

directed by Alexander Hall

A Paramount Picture

BOX OFFICE

"Previewed 'Miss Fane's Baby' privately with about thirty people in attendance. Everybody enthusiastic and positive it will be excellent box office attraction."—*Charles D. Skouras, Fox West Coast Theatre*

"'Miss Fane's Baby' fine entertainment."
—*Martin J. Mullin, M. & P. Theatres*

"Everyone connected with this picture should take bows for a grand entertainment. The picture is one of those often talked of but rarely produced. A combination of suspense and feminine appeal —with the stress on the former."
— *Hollywood Variety*

"Here is a great picture —probably one of the most timely and impressive stories ever brought to the screen. Packed with emotion-stirring value. Poignantly realistic, it is the type of thrilling, sympathy-arousing entertainment that should be tremendously popular with all classes of patrons."
—*Motion Picture Herald*

"Paramount has a hit in 'Fane's Baby Is Stolen'. A picture that is timely, universal and appealing. Preview audience sobbed unrestrainedly through the whole thing and burst out with whole-hearted applause at the end when kidnappers are caught. Authentic, human and dramatic."
— *Hollywood Reporter*

"Thrilling entertainment that leans heavily on the heart side. This production is an ideal combination of up-to-the-minute sentiment with tense heart interest and a suspense that holds all the way."
—*Motion Picture Daily*

Paramount Pictures

if it's a PARAMOUNT PICTURE it's the best show in town

Roxy Resigns Post as Head Of Music Hall

(*Continued from page* 1)

prise. For some time, the understanding has been prevalent up and down Broadway that Roxy was not getting along any too well with the current RKO management. The question of budgets which Roxy is reported to have more or less persistently ignored at the Music Hall, the Roxy and other theatres with which he has been associated is regarded as the factor, existent for some time but which yesterday crystallized in making public acceptance of the resignation. The action is understood to have taken place last Friday and kept under cover since.

3 Others Resign With Him

Roxy's withdrawal from the big theatre which was conceived and built pretty much to his own specifications and almost entirely in keeping with his plans and ideas was followed by the resignation of Charles Griswold, manager of the Music Hall and the latter's two assistants, Charles Dowd and Lloyd Evans. Word around the Music Hall had it their triple action was taken "out of an unswerving loyalty" to Roxy. Herman Wittman, manager of the Palace, replaces Griswold. The Palace post remained open last night.

Officially, J. R. McDonough, general manager of RKO and president of Radio City Theatres, Inc., subsidiary company controlling operations of the Music Hall, declared the resignation "will have no effect on either the policy or the bookings of the theatre." Leon Leonidoff, who, according to McDonough, produced the stage shows before and during Roxy's "terms as manager of the world's largest theatre," will continue at this post. McDonough also stated:

"Although the theatre has been operated with selected first runs and lavishly produced stage shows for more than a year, Mr. Rothafel did not enter its active management until late last April. He had previously produced the all-stage entertainment which opened the theatre in December, 1932, and was then seized with an illness from which he did not recover for several months."

Late yesterday Roxy, in a statement, denied the budget was ever exceeded, declaring "at no time were the stage shows producd in excess of the budget allowance."

To Take Rest

"I am leaving for a well-earned rest within a few days," he said. "When I return, I hope that I may again have the pride and happiness of contributing to the entertainment of the public to which I have devoted so great a part of my life." At the same time, he extended appreciation to the Music Hall staff and wished them all well.

The resignation was followed by a flock of Times Square rumors. One was a revival of the reports Radio was dickering with Max Reinhardt, famous European maker of spectacles, to take over the post. This was described as "silly" by an RKO official. Bringing a smile to those who had heard it was a second report that H. B. Franklin would step into the spot, the story gaining credence principally on the ground he had devoted the major portion of his time to Music Hall nurturing early in 1933.

A third had it Allan Foster, stage producer, would join the organization. All of these were subsequently denied.

It's Been Brewing

Insiders' Outlook

Then there is Roxy. He hasn't had it entirely his own way since Radio City threw open its handsome doors almost a year ago and today his way is reported even less his own. There have been some pointed suggestions made about operating costs at the Music Hall, all Roxy isn't

Friday, October 27, 1933

reports that are conabout which Lubin, who had considerable to do with the promotion of the Old Roxy has been talking to its namesake about a return to the 7th Avenue Cathedral. Yet if you believe in denials, you have Howard Cullman's word for it that this is the bunk. . . .

POSSIBILITY that Roxy would go back to his old hatrack at the original Roxy was reported to have dimmed yesterday. Herb Lubin, who promoted the 7th Avenue Cathedral, has been a deal

Friday, November 3, 1933

you today. The funds upon satisfying various creditors and taking the house out of the receivership under which it has been operating for some time now were being sought from Hayden, Stone & Co., the inside goes. Yesterday Dick Hoyt, who has had a flyer or two in the picture business—notably Fox West Coast and what good memories will recall as the Hoyt Syndicate—is



I haven't missed on a Cantor yet, and I'm positive "Roman Scandals" will break my house record.

Arthur J. Manard, Liberty Theatre, Hartford, Conn.

Tax Bill Hearings To Be Resumed Today

WASHINGTON, Jan. 8.—Hearings on the new tax bill will be resumed tomorrow by the House Ways and Means Committee, with representatives of a number of industries scheduled to present testimony with respect to the excise taxes and miscellaneous revenue matters.

The hearings before the committee last month were for the purpose of considering problems of tax avoidance primarily, although testimony was taken with respect to a number of excise taxes, among them the admissions tax, repeal of which was asked by representatives of the legitimate theatre.

Fix Bail for Realty Group In Brooklyn

The 12 men indicted by the Federal grand jury in Brooklyn last month as a result of investigations into activities of New York Investors, Inc., and affiliated companies pleaded not guilty yesterday before Federal Judge Moscowitz in Brooklyn and were released under bail for further hearing Jan. 22.

The three indictments returned by the grand jury charged conspiracy to defraud bondholders and the New York Stock Exchange, concealment of assets and fraudulent use of the mails. It was alleged that the men named in the indictments fraudulently concealed millions of dollars in assets while knowing that bankruptcy proceedings were pending against the companies. Bail of $7,500 each was fixed for Frank Fox, president of Realty Associates Securities Corp.; Frank Bailey, chairman of the board of New York Investors; William M. Greve, president of New York Investors; Franvis T. Pender, vice-president of New York Investors and president of Allied Owners' Corp., and William H. Wheelock, director of New York Investors and president of the Prudence Co.

Each of these men was indicted on three counts and bail of $2,500 was fixed for each count. Bail of $2,500 each was set for James Graham, a director of Realty Associates Securities Corp.; James B. Fisher, another director of that company; Harry D. Burchill, vice-president of Realty Associates Securities Corp.; Eugene Moses, director; Gordon S. Braislin, another vice-president; Otto E. Reimer and Henry S. Parker, chairman and secretary, respectively, of the bondholders' committee.

Counsel for the indicted men asked Judge Moscowitz to release them in custody of their attorneys, but Assistant U. S. district attorney Maxwell Parnes requested that bail be fixed at $10,000 for each of the men. Judge Moscowitz remarked that the men were prominent and that he would set bail at $2,500 for each indictment count.

Bailey is a director of Paramount.

Garmes Made Director

HOLLYWOOD, Jan. 8.—After being promised the post of a director for some time, Lee Garmes, cameraman, has been given his chance at Fox. Al Rockett has chosen Garmes to direct "Fledglings," which will star Lew Ayres.

Columbia-Brice Dicker

Monte Brice of Rowland-Brice Prod. is back from the coast for negotiations with Harry and Jack Cohn to make two pictures for Columbia release. A meeting is set for today.

FWC Regains Paramount

PORTLAND, Jan. 8.—Fox West Coast interests again assume management of the Paramount here, effective Jan. 12. Homer Gill, present manager, will be succeeded by Gerald Gallagher of Los Angeles.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Let's Fall in Love"

(Columbia)

HOLLYWOOD, Jan. 8.—With a song that sounds like a hit, with a Hollywood story based on the finding and promoting of a movie star, and with plenty of laughs interspersed, "Let's Fall in Love" looks like a merchandisable commodity.

The yarn is about a director, Edmund Lowe, harassed by a temperamental Swedish star, Tala Birell, who walks out of his picture. The producer, Gregory Ratoff, is at his wit's end, and allows Lowe to search for another Swede to fill her shoes. Discovering a girl, Ann Sothern, at a side show, Lowe places her with a Swedish family to learn Swedish from the kitchen up. Then he sells her to Ratoff, who, believing he discovered the girl himself, launches her on a terrific wave of publicity. The blow-up comes when Lowe's fiancée, Miriam Jordan, in a jealous rage exposes both the girl and the scheme. Ann is humiliated, and disappears. Ratoff, infuriated, fires Lowe. But exhibitors' telegrams demand the girl force Ratoff to get Lowe back. He then finds the girl for a kiss fade-out.

Ratoff's portrayal highlights the audience reaction, with each scene getting big laugh responses. Miss Birell is swell as a fiery Swede. Mrs. Sothern, in a story building up her greatness, overcomes rather nicely the plot handicap imposed. Lowe makes the director human and romantic. Art Jarrett sings and looks well. "Let's Fall in Love" is a good program picture.

Looking 'Em Over

"Before Midnight"

(Columbia)

"Before Midnight" is a mystery melodrama that ought to do well at popular-price houses. It manages to maintain the suspense and shield the identity of the guilty party to the end. Also to its advantage is the success with which the producers have injected the element of mystery into the atmosphere and settings of the picture.

The tale has to do with a series of murders in a country mansion. At the botton is a plot to deprive Claude Gillingwater of his fortune under threat of revealing the fact he is the father of June Collyer through a marriage without benefit of clergy. To make certain Miss Collyer would like him for himself rather than for his wealth he had changed identities with his secretary. When the secretary uses his new position as a means of breaking Gillingwater, the latter turns to murder. A needle filled with cyanide attached to the lever of a fountain pen serves as the instrument of murder. A prick of the finger as the pen is filled, and there you are.

Ralph Bellamy does well as the inspector from headquarters. Miss Collyer, Betty Blythe, Gillingwater, William Jeffrey, Arthur Pierson and Bradley Page are also commendable. Lambert Hillyer directed.

Reviews of new shorts appear on pages 14 *and* 15.

Labor Board Denies Sound Men Election

HOLLYWOOD, Jan. 8.—The request of Campbell McCullough, regional chairman of the NRA, that factions in the soundmen's ranks be granted permission to hold an election at which he could represent them has been turned down by the National Labor Board in Washington.

"The matter of soundmen," wired Senator Robert F. Wagner, chairman of the board, "is one involving nothing else but a jurisdictional dispute. The question was settled by the board by agreement last August. There is no occasion for calling an election and thus reopening the whole original issue."

Soundmen are scheduled to vote tomorrow.

F. G. Gullette Sentenced

SEATTLE, Jan. 8.—F. G. Gullette, self-styled "Hollywood motion picture producer," has been given a suspended sentence of one year in the county jail here after pleading guilty of petit larceny.

Gullette undertook to produce a film featuring "Miss Prosperity" arriving at local business houses and interviewing the proprietors. He obtained money for their appearance in the film, but the picture was not completed.

"Disraeli" Re-Released

"Disraeli," starring George Arliss, will be re-released with an opening at the Hollywood tomorrow. Members of the British Consulate are expected to attend.

Horan Sees Union As No New Burden

(Continued from page 1*)*

takers also perform the duties of janitors, I consider that they belong to me."

"When we get a general scale worked out I am going to call in local exhibitors to discuss the entire situation," he said. "I am perfectly willing to have an unbiased arbiter sit in with us. This is not going to work any hardship on theatres. The smaller houses will get the break they deserve in proportion to their size."

The four groups, janitors, window washers, ushers and doormen will comprise an organization locally of between 1,300 and 1,500 members, Horan estimated.

Monogram to Raise 1934-35 List to 36

W. Ray Johnston, Monogram president, is planning to increase his 1934-35 production schedule to 36. For the 1933-34 season it was 20.

All production has been centered under Trem Carr's jurisdiction, Johnston says, with the executive staff headed by Lou Ostrow, and a writing staff has been developed. Under this plan, Johnston states, each picture gets three to four months preparation before camera work starts.

"The consistency with which we have been able to turn out good box-office pictures during the past few months," he declares, "has convinced us that our new production policy is right and now we feel we are in a position to increase our activities and take on a good many more pictures and still retain the quality of entertainment on our current program."

Labor Survey Pleases Many Film Leaders

Industry leaders yesterday viewed with satisfaction the report of the American Federation of Labor showing employment gains and increased hours of leisure for labor under recovery measures enacted last year. The consensus of executive opinion is that the basic and widespread improvements in economic conditions reflected in labor's survey will have a noticeable effect in bettering theatre conditions this year.

The A. F. of L.'s report stated that labor's prospects for employment and earnings are "considerably brighter" for 1934, and that 1,800,000 unemployed last year-end now have jobs in industry, and 4,600,000 have temporary work under CWA, PWA and CCC. In addition, the survey said, average weekly work hours in industry generally are shorter by 4½ hours per week than at the end of 1932.

The income of all workers in industry, the survey held, had been increased by 11.7 per cent, or $243,000,000 monthly, plus another $300,000,000 monthly through temporary PWA and CWA jobs. Hourly wage rates were held to be five and one-half cents higher than a year ago, and that, as a result of the increased buying power, business activity at the opening of 1934 was at least 10 per cent above last year.

Shaffer Joins Monogram

SEATTLE, Jan. 8.—H. B. Shaffer has been named publicity director of the Monogram exchange. He succeeds H. B. Sobottka.

You've got to take your hat off to Samuel Goldwyn for "Roman Scandals". When he makes pictures, they're big money pictures.

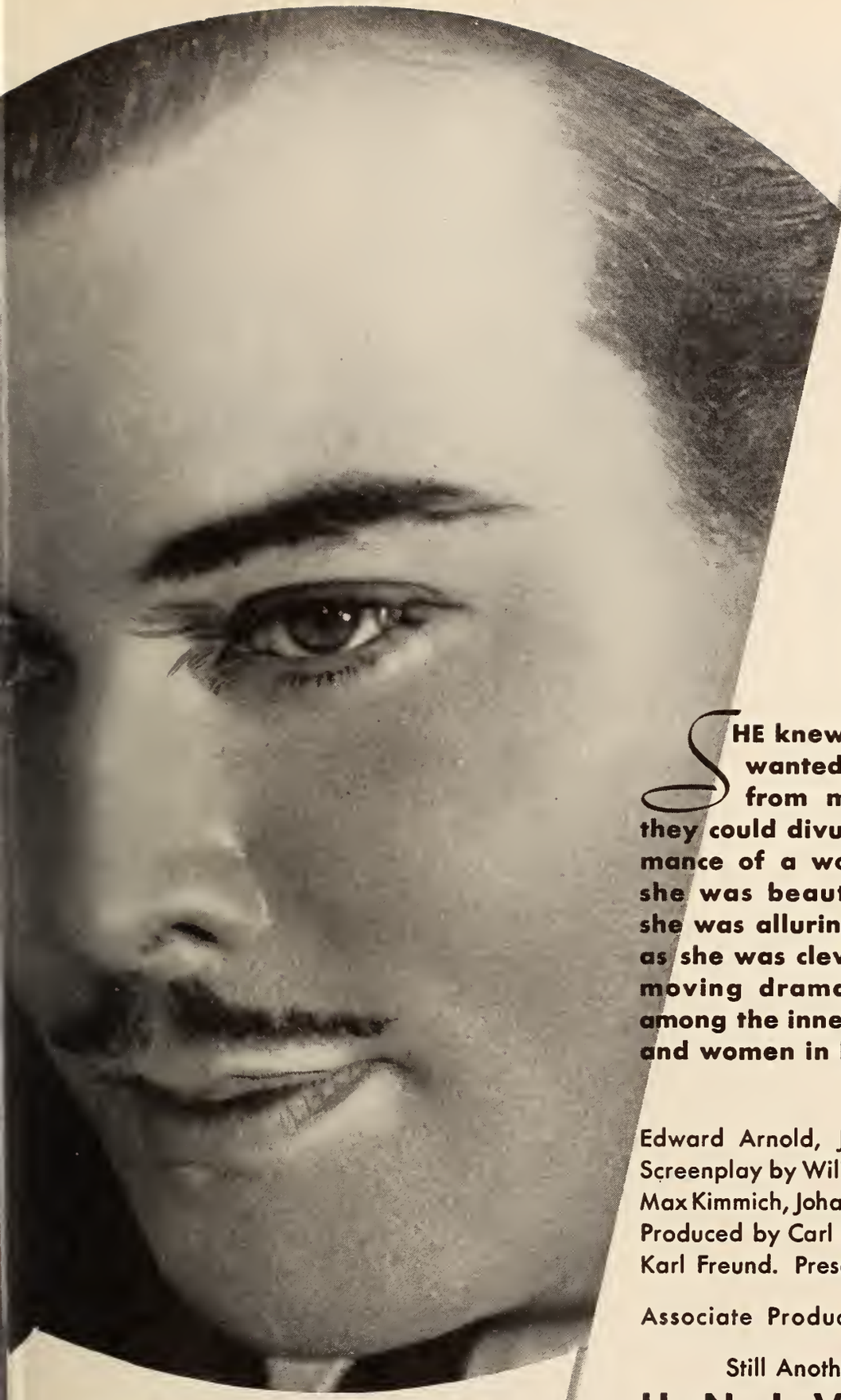


Max Tabacman, Cameo Theatre, West Haven, Conn.

The love story of a beautiful adventuress!



Madame



SPY

SHE knew how to get what she wanted—and all she wanted from men was the secrets they could divulge! . . . See the romance of a woman as ruthless as she was beautiful; as cunning as she was alluring, and as dangerous as she was clever! . . . It's a swift-moving drama that plunges you among the innermost secrets of men and women in high places!

•

Edward Arnold, John Miljan and others. Screenplay by William Hurlbut. Original by Max Kimmich, Johannes Brandt, Joseph Than. Produced by Carl Laemmle, Jr. Directed by Karl Freund. Presented by Carl Laemmle.

Associate Producer, Edmund Grainger.

Still Another Big One From

UNIVERSAL

•

with **FAY WRAY**

NILS ASTHER

'Husbands Go' With a Show Detroit High

DETROIT, Jan. 8.—"As Husbands Go," aided by a stage show headed by Olsen & Johnson, was the bright spot in another slow week here, getting $18,300 at the Fox, $3,300 over average. It was the only picture to do more than par. "Going Hollywood," plus a stage show featuring Dave Appolon, was next best, netting the Michigan $16,400, against an average of $20,000. Others were just fair.

Total for the week was $62,600, against an average of $77,000 and $63,700 the previous week.

Estimated takings for the week ending Jan. 4:

"THE INVISIBLE MAN" (Univ.)
DOWNTOWN—(2,750), 15c-40c, 7 days. **Gross:** $7,200. (Average, $10,000).

"SON OF A SAILOR" (F. N.)
FISHER—(2,975), 15c-40c, 7 days. **Gross:** $5,100. (Average, $10,000).

"AS HUSBANDS GO" (Fox)
FOX—(5,100), 15c-50c, 7 days, Stage: Olsen & Johnson. **Gross:** $18,300. (Average, $15,000).

"GOING HOLLYWOOD" (M-G-M)
MICHIGAN—(4,100), 15c-50c, 7 days. Stage: Dave Appolon revue. **Gross:** $16,400. (Average, $20,000).

"ROMAN SCANDALS" (U. A.)
UNITED ARTISTS—(2,070), 25c-50c, 7 days, second week. **Gross:** $8,500. (Average, $10,000).

"DESIGN FOR LIVING" (Para.)
STATE—(3,000), 25c-50c, 7 days. **Gross:** $7,100. (Average, $12,000).

"Rio" Portland's High with $8,000

PORTLAND, Jan. 8.—Extra heavy patronage New Year's eve brought house averages considerably above normal. "Flying Down to Rio" at Hamrick's Music Box had a take of $8,000 over two-and-one-half times average. It was held over a second week.

"Mr. Skitch" and "The Thundering Herd," on a double bill at the Paramount, took $6,000, or $1,000 over average.

Henry Santry and Band augmented by "White Woman" at the Liberty drew $2,500, or $700 over house average.

First run totals were $28,500. Average is $22,800.

Estimated takings for the week ending Jan. 4:

"THE WORLD CHANGES" (F. N.)
"SON OF A SAILOR" (F. N.)
BROADWAY—(1,912), 25c-35c-40c, 7 days. **Gross:** $6,000. (Average, $6,000)

"FLYING DOWN TO RIO" (Radio)
HAMRICK'S MUSIC BOX—(2,000), 25c-35c-40c, 7 days. **Gross:** $8,000. (Average, $3,000)

"LITTLE WOMEN" (Radio)
HAMRICK'S ORIENTAL—(2,040), 25c-35c, 5th week, 7 days. **Gross:** $2,000. (Average, $2,000.)

"WHITE WOMAN" (Para.)
LIBERTY—(1,800), 25c-35c-40c, 7 days. Stage: Henry Santry and band. **Gross:** $2,500. (Average, $1,800)

"MR. SKITCH" (Fox)
"THE THUNDERING HERD" (Para.)
PARAMOUNT—(3,008), 25c-35c-40c, 7 days. **Gross:** $6,000. (Average, $5,000)

"ROMAN SCANDALS" (U. A.)
UNITED ARTISTS—(945), 25c-35c-40c, 2nd week, 7 days. **Gross:** $4,000. (Average, $5,000)

Monarch Buys Novel

Monarch Productions has acquired picture rights to "Love Past Thirty," novel by Priscilla Wayne.

"Skitch" Is Twin Cities' Top, $15,000

MINNEAPOLIS, Jan. 8.—"Mr. Skitch" was high in both the twin cities last week. It took $8,500 at the Minnesota here and was good for $6,500 at the Paramount in St. Paul.

"The Prizefighter and the Lady" reached $2,000 here, and "The World Changes" was $1,000 up with a $6,500 take at the RKO Orpheum. "Hoopla" was strong on both sides of the river. It garnered $6,500 at the State here and reached $4,000 at the St. Paul Riviera.

Total for Minneapolis was $25,500. Average is $21,300. In St. Paul the total was $19,850. Average is $15,000.

Estimated takings:

Minneapolis:

Week Ending Jan. 4:

"THE PRIZEFIGHTER AND THE LADY" (M-G-M)
LYRIC—(1,238), 20c-25c, 7 days and midnight show. **Gross:** $2,000. (Average, $1,500)

"MR. SKITCH" (Fox)
MINNESOTA—(4,000), 25c-40c, 7 days. $8,500. (Average, $7,500)

Week Ending Jan. 5:

"THE WORLD CHANGES" (F. N.)
RKO ORPHEUM—(2,900), 20c-40c, 7 days and midnight show. Stage: "Fifty Million Frenchmen." **Gross:** $6,500. (Average, $5,500)

"HOOPLA" (Fox)
STATE—(2,300), 25c-40c, 7 days and midnight show. Stage: Connie's "Hot Chocolate." **Gross:** $6,500. (Average, $5,500)

"THE RED HEAD" (French)
WORLD—(400), 25c-75c, 7 days. **Gross:** $2,000. (Average, $1,300)

St. Paul:

Week Ending Jan. 5:

"MR. SKITCH" (Fox)
PARAMOUNT—(2,300), 25c-40c, 7 days. **Gross:** $6,500. (Average, $5,500)

"BROADWAY THRU A KEYHOLE" (U. A.)
RIVIERA—(1,200), 25c-40c, 2 days. **Gross:** $1,300. (Average for week, $3,500)

"HOOPLA" (Fox)
RIVIERA—(1,200), 25c-40c, 5 days and midnight show. **Gross:** $4,000. (Average, for 7 days, $3,500)

"THE INVISIBLE MAN" (Univ.)
RKO ORPHEUM—(2,600), 20c-40c, 3 days. **Gross:** $1,800. (Average for week, $4,000)

"FLYING DOWN TO RIO" (Radio)
RKO ORPHEUM—(2,600), 20c-40c, 4 days and midnight show. **Gross:** $3,200. (Average for week, $4,000)

"LADY KILLER" (Warners)
TOWER—(1,000), 15c-25c, 3 days and midnight show. **Gross:** $1,000. (Average, $800)

"EVER IN MY HEART" (Warners)
TOWER—(1,000), 15c-25c, 4 days. **Gross:** $850. (Average, $700)

"WALTZ TIME" (Gaumont-British)
WORLD—(300), 25c-75c, 7 days. **Gross:** $1,200. (Average, $1,000)

Would Hold Barrymore

HOLLYWOOD, Jan. 8.—Having only one more to make for RKO, "The Devil's Disciple," John Barrymore has been approached on a deal to extend his present contract to two more pictures, which would enable him to star in "Cyrano de Bergerac." RKO bought this play with Barrymore in mind.

Over 800 Extras Join Up

HOLLYWOOD, Jan. 8.—More than 800 extras have joined the Junior Actors' Guild with a goal of 1,000 necessary to become an auxiliary unit to the Screen Actors' Guild. When this number is obtained, the parent organization will permit the Junior group to elect one member to sit in on the board of directors, and create its own arbitration board.

It's Bishop Briggs

Denver, Jan. 8.—Because of favors in the form of passes for old men, members of the Liberal Church, Earl P. (Buzz) Briggs, manager of the State, has been made a bishop and a doctor of divinity. The title now is Bishop Earl P. Briggs, D.D. Briggs can now marry and bury his patrons as well as entertain them.

The Liberal church is composed of about 200 old men, and Briggs made it possible for many of them to see a show or two. Many of them had not seen a show for years and numbers had never heard a talkie. The church is maintained by a number of wealthy contributors. Briggs can even preach a sermon if he wants to.

"Dinner" $17,900 Leader at Buffalo

BUFFALO, Jan. 8.—Holiday midnight shows were sold to capacity and boosted all takes. "Dinner at Eight" was the strongest film draw with a gross of $17,900 at the Great Lakes, over normal by $9,400.

Total first run take was $70,000. Normal is $50,300.

Estimated takings for the week ending Jan. 5:

"DESIGN FOR LIVING" (Para.)
BUFFALO—(3,500), 30c-55c, 7 days. Stage: Buddy Rogers and his California Cavaliers; Jeanne Goodner, Ruth Godelle. **Gross:** $26,000. (Average, $26,000.)

"WILD BOYS OF THE ROAD" (Warners)
"TILLIE AND GUS" (Para.)
CENTURY—(3,000), 25c, 7 days. **Gross:** $7,000. (Average, $6,000.)

"DINNER AT EIGHT" (M-G-M)
GREAT LAKES—(3,000), 25c-40c, 7 days **Gross:** $17,900. (Average, $8,500.)

"TAKE A CHANCE" (Para.)
HIPPODROME—(2,100), 25c-40c, 7 days. Stage: Alex Hyde and his Musical Darlings; Frances Arms; Ross & Bennett; Rio Brothers; Fred Jarvis & Co.; Routon's Alley Dogs. **Gross:** $9,400. (Average, $10,000.)

"FAREWELL TO LOVE" (Madison)
HOLLYWOOD—(300), 25c-40c, 7 days. **Gross:** $600. (Average, $800.)

"LET'S FALL IN LOVE" (Col.)
LAFAYETTE—(3,300), 25c-40c, 7 days. Stage: Gregory & Raymond, Jesse Cryor, Silver, Burns & Bernice. **Gross:** $9,100. (Average, $10,000.)

Fox Wins Claim on "Lola Montez" Name

Fox has won the right to use the title "Lola Montez" as a result of a decision of an arbitration committee which included representatives of Columbia, Paramount, Radio, Universal and Warners. The decision was unanimous, according to Fox.

M-G-M had announced a story for production under this name. Fox proved it had the world rights to a play of this name, by Adolph Paul.

The committee included: Jeanne Dressler, Columbia; Irene F. Scott, Paramount; J. J. Nolan, Radio; Robert Harris, Universal, and A. S. Howson of Warners.

Warns on Giveaways

PORTLAND, Jan. 8.—C. Laird McKenna, Jr., legal adviser to the NRA compliance district for Oregon and Idaho, has broadcast warnings to theatre owners to the effect that lotteries, scrip books, coupons and throwaways are illegal under the industry code.

Coast Houses In Gold Rush For New Year

LOS ANGELES, Jan. 8.—New Year's sent cashiers into a fever. It was the biggest business in a long time. "Little Women" piled up $35,330 at Grauman's Chinese.

"Eight Girls in a Boat" went to a remarkable $28,750 at the Paramount. This is $10,750 over normal. "Dancing Lady" was a wow at Loew's State with $25,400, over average by $11,400, and "Roman Scandals" was strong at $13,000 in the United Artists.

Total first run business was $157,857. Average is $99,300.

Estimated takings for the week ending Jan. 3:

"LITTLE WOMEN" (Radio)
CHINESE—(2,500), 50c-$1.65, 7 days. Sid Grauman prologue. **Gross:** $35,330. (Average, $14,000.)

"ELYSIA" (Foy Prod.)
CRITERION—(1,610), 25c-40c, 6th week, 7 days. **Gross:** $6,725. (Average, $2,800.)

"I AM SUZANNE" (Fox)
4 STAR—(900), 50c-75c, 7 days. **Gross:** $3,200. (

"DANCING LADY" (M-G-M)
LOEW'S STATE—(2,413), 25c-40c, 7 days. **Gross:** $25,400. (Average, $14,000.)

"MYRT & MARGE" (Univ.) and "KING FOR A NIGHT" (Univ.)
LOS ANGELES—(3,000), 15c-25c, 7 days. **Gross:** $4,500. (Average, $3,700.)

"MADAME SPY" (Univ.)
PANTAGES—(3,000), 25c-55c, 7 days, stage show. **Gross:** $7,252.

"8 GIRLS IN A BOAT" (Para.)
PARAMOUNT—(3,595), 25c-40c, 7 days. Stage: Guy Lombardo and his orchestra. **Gross:** $28,750. (Average, $18,000.)

"FLYING DOWN TO RIO" (Radio)
RKO—(2,700), 25c-40c, 7 days. **Gross:** $8,700. (Average, $8,000.)

"ROMAN SCANDALS" (U. A.)
UNITED ARTISTS—(2,100), 25c-40c, 7 days. **Gross:** $13,000. (Average, $12,800.)

"SON OF A SAILOR" (F. N.)
WARNER BROS. (Hollywood)—(3,000), 25c-40c, 7 days. **Gross:** $13,000. (Average, $14,000.)

"SON OF A SAILOR" (F. N.)
WARNER BROS. (Downtown)—(3,400), 25c-40c, 7 days. **Gross:** $12,000. (Average, $12,000.)

Caravan Tour Is Set For "Moulin Rouge"

A caravan tour of the key cities of the country to exploit "Moulin Rouge," 20th Century's latest, is planned beginning February 1 in a tie-up with Socony-Vacuum. The jumps from town to town will be made by special train, while the traveling in the various cities will be in special buses. The starting point will be New York City, with Philadelphia as the first stop. Among other stops will be Washington, Baltimore, Hartford, Boston, Albany, Rochester, Buffalo, Cleveland, Detroit, Chicago Milwaukee Indianapolis, St. Louis, Kansas City, Los Angeles and San Francisco.

Fifteen Hollywood players, together with 12 of the show girls in the film are scheduled to make the trip. Among them will be Leo Carrillo, James and Mrs. Gleason, Russel Gleason, Raymond Hatton, Creighton Hale, Anna Q. Nillson, Mary Carlisle, Johnnie Mack Brown, Mary Brian, Ben Turpin, Sally O'Neil, Sally Blane, Arlin Judge, Patsy Ruth Miller and Nancy Welford. John Hundley will act as master of ceremonies.

There will be a broadcast and stage appearances in each of the key cities visited.

Dirty Sky Gladdens Pittsburgh

Steel Plants Busier; B. O. That Way, Too

By RED KANN

PITTSBURGH—Close to the edge of ne of the high bluffs on which Pittsrgh stands and running its full ngth is the Boulevard of the Allies. lose enough to be neighborly, but mpetitors, nevertheless, it is here here local exchanges make their mes. Whether or not there was mething deliberate in planting them rectly across from the myriad of okestacks which mark the stamping ound of much of Pittsburgh's steel dustry is not on record. But it is on cord that design or accident, as it ay be, makes it easy for exchange anagers to forget what their sales-en's reports tell them by deferring the story of those stacks and the y which today they smudge with oke.

Steel Plants Busier

Steel plants are busier in these rts than they have been for some ne. No more certain index of instrial whoopee can be found around e town. When stacks belch it means el is being fabricated. When steel being fabricated, it means industry astir, payrolls active and pockets lging, if modestly, with wages, part which is finding its way into picture eatres.

It does not necessarily follow that e public here is patronizing pictures t of any particular loyalty. What offered to them and how good are portant. That goes for price as ll.

The charity list is shrinking; aner index to the gradual revival ich Pittsburgh is experiencing. The al end of the civil works program s put thousands to work at the set 5 per week figure, thereby throwing o circulation thousands of dollars ich previously did not. Part of t, too, is potential box-office gross d filmites here appreciate the fact.

Thrived on Tough Times

Neighborhood operators seem to e thrived on hard times and hard es seemed to have helped them. ey have cut corners and, in many tances, wrung out of their operas considerable of the water of ich there was never much anyway. ving on gasoline and parking and eet car fares on the part of the pping public has tended to keep s in large gobs in the neighbords where they see what the downn de luxers run at less cost merely exercising the virtue which is in ience through waiting until clears drop all product in the outlying ses.

These are factors which persuade horitative local opinion to venture hunch that grosses in neighbord houses are up 40 per cent over closing days of 1932. The same rces have it first runs have gone one-fifth in their receipts and, while any gain is looked upon like manna from above, it, nevertheless, trails outlying houses by a cool 100 per cent.

There was a time here, not so long ago, when Warners with the Warner, Stanley and Davis, and Loew's, with its Penn, had everything their own ways, always excepting Mort Shea's Fulton. Not so today, however. George Schaefer, not the Paramount general manager, but the theatre operator out of Wheeling, W. Va., is now around with the Pitt as his gauntlet thrown in the face of the two national circuits. The Pitt proceeds on a "combo" policy and is the only theatre in the city that runs vaudeville with its celluloid. It's annoying to the Warners, to say the least..

Fulton Also Changes

Another recent change in the first run classification applies to the Fulton, which, for almost two years, featured the two-for-one coupon gag and caused much local disturbance thereby. That's all over now, but the reason finds several explanations. One is that exchanges began to get tough and started conversation which, among other things, made reference to film service. More likely, however, is the enactment of the industry code.

Opening up the first run sector further will be the Alvin. That's quite a yarn on its own. The theatre is owned by Harvard University, ran stage shows for years and seats about 1,600. Recently it passed to the Harris Amusement Co., which has started to rip out the second balcony in a rehabilitation process which eventually will convert the theatre into a first run and the home of two-thirds of the Fox product. Shea at the Fulton gets the other third.

Reconstruction work has been under way for some weeks. It may take a couple more months before the job is finished. The length of time involved in the conversion task has led to reports around Pittsburgh that Harris Amusement would not go through. That happens to be all wet.

Fox in Peculiar Spot

The twist has resulted in placing Fox in the most peculiar, as well as the most interesting, situation among all of the major distributors here. Rather than hold up subsequent runs until releases get a chance at the Alvin, many Fox attractions have been playing in East Liberty almost out of the can. To understand exactly what that means is to remember East Liberty is analagous to New York's 125th St. Without benefit of downtown run, it so happens, Fox pictures, as a consequence, are finding themselves in general release for all the houses that follow.

This has made the situation at the Harris-Family, East Liberty, a sweet one. It is a 600-seat theatre once known as the Alhambra. With it Harris Amusement has been bucking the Sheridan Square, Enright, Regent and Cameraphone—Warner houses all—and doing a pretty good job of it. The understanding is that the policy of Fox first runs, ahead of downtown, in East Liberty led to the experiment on the part of Harry Kalmine, Warner zone manager, to play day and date with the downtown Davis at the Sheridan Square and first run at the Enright. The day and date idea fizzled because East Liberty folks soon discovered there was no need to go downtown to see the same product at the Davis for more money. The routine obviously was not so good for the latter. The same idea, tried on and off by the Warners in the last four years, is now in camphor-balls and probably will remain there for a couple of months at any rate.

Fewer Houses Closed

Today, fewer theatres are closed in the territory served out of Pittsburgh than at any other time in several years. Film Board statistics show 76 houses were closed in 1931. There were 209 in 1932. Of that number 110 opened during the year. But in 1933, the dark theatres bulked only 46. As compared with 762 houses seating 373,666 in the territory, the situation is not so black unless it is that theatremen are running houses against hope for better times.

The biggest thing in Pittsburgh at the moment is a potential something which may not happen, but undoubtedly will. Brewing is a theatre tussle with Warners on one side and John Harris on the other. John is the son of the Harris of sterling character who built the circuit which Warners bought—at peak prices when theatre buying was the vogue. Part of the transaction included a five-year contract for the services of Son John. Young Harris, in fact, did run what once was the Harris string and now the Warner string until he discovered New York's ideas on what ought to be done, and how, and his didn't jell. Then, he stepped out of the job, but not out of the contract which runs about another year. All of this keeps John out of theatres, but that doesn't prevent him from operating dance halls and skating rinks. He's doing both.

The Harris Outfit

In the meantime, in the Clark Building, where Kalmine sets forth, are also the offices of Harris Amusement, of which State Senator Frank Harris is the guiding hand, although James G. ("Jimmy") Balmer does most, if not all, of the work. Under this corporate entity are theatres operating in St. Mary's, Reynoldsville, Oil City, East Liberty, Jeannette. These are in Pennsylvania. Also are houses in Detroit, Youngstown and Warren, O. There will be more, perhaps, some of them in towns where the Warners cut much figure.

In the meantime, 1935 is not so far away. John Harris contemplates a long winter vacation where the sun is warm. In the summer, not much goes on anyway. From summer to the following April isn't so long, as time has a habit of flying.

About John Maloney

They tell another story here. It's about John Maloney, M-G-M manager, who has grown children of his own now. When it was decided to take Katherine Variety Sheridan, ward, and reason for the founding of the Variety Club, out of the Rosalia Foundling Asylum for a bit of holiday visiting, Maloney one week-end found her in his charge and difficult to give up thereafter. He actually found himself bringing toys to the house at the close of each day and that was something he hadn't done for many years past.

What threatens to divide club membership into a pleasant division in ranks is a decision on who is to get her next and in what order. Mrs. John Harris, the elder, had her, as did Jack Hooley, manager of the Harris-Family. Jim Balmer and Harry Goldstein now are charging discrimination.

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The Tenth and the Last

This article on Pittsburgh concludes a series on conditions in important Middle Western cities.

Key spots visited and covered include Milwaukee, Chicago, Indianapolis, Detroit, Cleveland, Columbus and Cincinnati.

1st Run Front Changing; New Factors Enter

James S. McQuade Dead

James S. McQuade, prominent in the early days of trade paper journalism in the industry, is dead, according to mail advices which reached New York from the coast yesterday.

McQuade entered the business as one of the contributing editors of *Film Index* which was purchased subsequently by *Moving Picture World*. He continued with the latter publication as an associate editor and its western correspondent for many years.

New Press Book Feature

Warners have inaugurated a "Showman's Corner" in their press books, edited under the supervision of S. Charles Einfeld. This new feature is devoted to a resume of exploitation stunts which have proven successful in past performances by exhibitors over the country.

Right Mayor, Wrong City

H. E. Wilton is recently-elected mayor of Hamilton, Ont., not Toronto, as reported in MOTION PICTURE DAILY a few days ago.

Wilton is manager of the Strand, a Famous Players Canadian house, in the former city.

Names NOW HERE

A resolution it will be a pleasure to keep: to make more money in 1934 with short subjects by playing and exploiting more

Educational Pictures

START NOW WITH THESE

SPICE IN THE BIGG

Among shor



TWO REELS

STAR COMEDY SPECIALS
ERNEST TRUEX
in his great comedy of the nudist camps
"MR. ADAM"
"A honey for haw-haws."
—Film Daily

•

ANDY CLYDE COMEDIES
"AN OLD GYPSY CUSTOM"
Springtime and the Gypsies are too much for Andy.
Produced by E. H. Allen

•

CORONET COMEDIES
STOOPNAGLE and BUDD
famous radio comics, as a couple of nut "scientists", who create a "Stoopenstein" that's even nuttier, in
"THE INVENTORS"
An Al Christie Production

•

TOM HOWARD COMEDIES
"DIVORCE SWEETS"
Peek and Boo, detectives, almost get their co-respondent; and how they get the laughs!

MORAN AND MACK COMEDIES
"THE FREEZE OUT"
From frozen Alaska to Hades with the "Two Black Crows" in the fastest and funniest short subject they have ever produced by Al Christie mode.

•

FROLICS OF YOUTH
"PARDON MY PUPS"
with **Junior Coghlan** and **Shirley Temple**
"Altogether delightful"
Rob Wagner's Script

•

MERMAID COMEDIES
"TRIMMED IN FURS"
The moose cows fly and the loughs come fast and furious in this hoke comedy.
An E. H. Allen Production

•

MUSICAL COMEDIES
"POPPIN' THE CORK"
with **MILTON BERLE**
An elaborate featurette* of timely comedy and music, with two new song hits, "Here's Looking at You" and "Poppin' the Cork"
*3 reels
A Jock White Production







of 1934

ST PRODUCTIONS

eatures

ONE REEL

SONG HIT STORIES

"THE LAST DOGIE"
featuring James Melton
popular radio tenor, singing beloved cowboy laments.

"MANHATTAN LULLABY"
featuring Helen Morgan
singing the new "Stork Song."
Sk-bo Shorts

THE TREASURE CHEST

"DAY DREAMS"
Beautiful fantasy, with music by Henry King's orchestra.

"AIR MANIACS"
featuring Vince Barnett
The clown of clowns adds fun to the craziest, craziest, craziest, daredevil stunt flying ever photographed

"WHAT DOES 1934 HOLD"
What the stars foretell for the New Year, interpreted by the famous astrologer
WYNN
of timely interest to all of us
Sk-bo Shorts

BABY BURLESKS
Coming...a satire on college football that's a touchdown for laughs.

"GIMME MY QUARTERBACK"
Produced by Jack Hays

ROMANTIC JOURNEYS

"CANYON OF ROMANCE"
The inspiring beauty of Bryce Canyon, in all the wonders of its natural colors.
A Brown-Nagel Production

TERRY-TOONS
There's a whimsical quality, and a steady flow of laughter, in these three new Terry-Toons:

"LITTLE BOY BLUE"
A new line on an old tale

"IN VENICE"
Jumping gondolas! Is this one a scream!

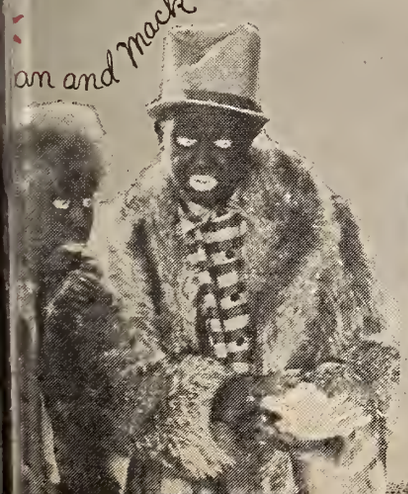
"THE SUNNY SOUTH"
Simon Legree a la cartoon.

Two more ready:
"HOLLAND DAYS"
"THE THREE BEARS"


lian Roth


Taylor Holmes


Olive Borden


an and Mack


Junior Coghlan


Ernest Truex


Bob Hope


Buster Keaton


Shirley Temple

LATE NEWS FLASH!
Coming
BUSTER KEATON
in a
STAR COMEDY SPECIAL

Educational Pictures
"THE SPICE OF THE PROGRAM"

Distributed in U.S.A. by
FOX FILM CORPORATION

Looking Over Shorts

"Hollywood Babies"
(*Columbia*)

A "Scrappy" cartoon, with Scrappy as a cameraman and director. Cartoons of most of the prominent Hollywood stars are shown, all cavorting to music. Could be better. Running time, 7 mins.

"Dance of the Hours"
(*Audio Prod*)

A musical treat in which Ponchielli's familiar strains get visual accompaniment in a dance, in silhouette, arranged by Malvina Hoffman. Well-done and high-class. Running time, 9 mins.

"Heart of Paris"
(*Vitaphone*)

An E. M. Newman "Musical World Journey" one-reeler, showing views of Paris, with off-screen dialogue and songs, in both French and English. Scenes of Paris and Versailles by night, and the views of Montmarte are impressive. Running time, 9 mins.

"Screen Souvenirs"
(*Paramount* 3-6)

Another of the "Screen Souvenirs" series, with views of Champ Clark, Uncle Joe Cannon, Chauncey Depew, the 1906 Centennial of Wilkes-Barre, Texas Guinan in an old "western" and the usual old time "meller." Interesting. Running time, 8 mins.

"In Giantland"
(*United Artists*)

Here Walt Disney makes Jack and the Beanstalk live again in the person of his versatile Mickey Mouse. Picture opens with Mickey telling a bedtime story to his innumerable nephews, and switches to the tale itself, with Mickey as Jack. His adventures with the giant he meets, particularly when he hides in the Behemoth's mouth are equal to anything that Disney has previously done. Mickey finally escapes by sliding down the stalk, and kills the giant by setting fire to the base after he has escaped. Running time, 8 mins.

"The Sunny South"
(*Educational*)

One of the Terry-Toon series with Simon Legree as the dog catcher who chases pups aided by a flock of bloodhounds, but isn't able to catch up with a big black mammy bent on rescuing her poodle. The ice scene from "Uncle Tom's Cabin" is burlesqued. Good incidental music and an interesting kid number. Running time, 6 mins.

"Fine Feathers"
(*M-G-M*)

Bird plumage from all over the globe, photographed in a riot of Technicolor. Pete Smith supplies the running patter of dialogue, not all of it funny. The subject is interesting, due almost entirely to the effectiveness and the excellence of the color photography. Running time, 9 mins.

"Pie for Two"
(*Universal*)

Featuring James Gleason and Eddie Nugent, this one ought to please all audiences. Gleason and Nugent, knights of the road, wander into a small town and find Mabel Marden in difficulties. They are first attracted to her by her pies, and remain as boarders when they discover that she is broke, and has two small children to support. Gleason is good in a comedy role, with Nugent and Miss Marden supplying the romance. Running time, 20¾ mins.

"Mountain Music"
(*Universal*)

Starring Louise Fazenda, this short is full of laughs. Miss Fazenda inherits a general store in the Kentucky mountains, and with the store she gets the feud between the Matfields and Malloys. Both clans try to marry Miss Fazenda to one of their members so as to get control of the store, but neither is successful. Milton Wallace is an able foil for some of Miss Fazenda's gags, and supplies a few of his own. Mountain music and square dances are also in this one. Running time, 18 mins.

"Hollywood on Parade"
(*Paramount*)

This is B5 of the series of intimate glimpses into the activities of screen personalities when not at work. Max Baer, Walter Huston, Polly Moran, Gloria Swanson, Bruce Cabot, George Raft, Mae West, and others are shown. For comedy effect, there is Lloyd Hamilton, who gets a number of laughs in his efforts to photograph some of the stars. Running time, 11 mins.

"Melody Tom"
(*Master Art*)

An intriguing musical short, uniquely done and of high entertainment quality. Sylvia Froos, of radio renown; Dick Liebert, theatre and radio organist; and John S. Young, the air announcer, contribute ace work. Songs which have been written about Chicago, New Orleans, San Franciso, New York, et al, are sung and played by Miss Froos and Liebert respectively, while Young handles the explanatory task. Running time, 7 mins.

"A Trifle Backwards"
(*Universal*)

With Vince Barnett, Robert Graves, Miami Campbell and Gertrude Short, this short feature provides many laughs. Barnett is struck by Miss Campbell's car, and is brought to her home instead of to a hospital. To cover up the accident, she tells Graves, her husband, that Barrett is the groom of Miss Short. The ensuing situations are obvious and comical, but everything is finally straightened out. Running time, 19½ mins.

"Waters of Minnetonka"
(*Audio Prod.*)

A few seconds shy of six minutes, this is an interesting and well-done short designed to emphasize musical content but is beautiful in photographic quality as well. Contrary to the previous custom where sound augmented the camera, this time Robert C. Bruce's Technicolor camera enhances the sound. The combination is effective.

"Manhattan Clock-Tale"
(*Vitaphone*)

A pleasing short featuring Norma Terris and Lynn Overman, with an amusing plot built around what is supposed to be a normal day in the life of a Broadway star. Miss Terris sings several numbers, both in English and in foreign tongues. Well staged dances by the Vitaphone chorus are interposed throughout the picture to help the continuity. Running time, 29 mins.

"Day in Tokyo"
(*Fox*)

Another of the Fox Magic Carpet series showing interesting views of the modern development of Tokyo. There is a decided contrast running through the picture between the ancient dress still worn by many of the natives, modern buildings and means of transportation. Also interesting views of the Ginza, Tokyo's Broadway. Running time, 9 mins.

"Kissing Time"
(*Vitaphone*)

A miniature musical comedy featuring Jane Frohman, radio star, and George Metaxa of the stage. Scene is South America, during a revolution. Both Miss Froman and Metaxa have good voices that record well, and their songs are well delivered. Choral numbers and dances are well done. The comedy relief by Philip Ryder is well handled. Running time, 22 mins.

"Strange as It Seems"
(No. 35)
(*Universal*)

Another of the interesting series showing strange sights and beings found all over the world. This one has views of hair-dressing in Japan, weird religious rites of India, a one-armed paper-hanger, anti-venom serum laboratories, the shrine of St. Roche in New Orleans, strange plants of Central America and a chinchilla farm.

"Pathe Review"
(*Radio*)

Issue number two in series 2-45-02 with several interesting subjects. One deals with the theory of the creation of the earth and other planets and another has Robert Wildhack giving a treatise on Sneeze-ology. An intimate study of a rabbit which makes friends with other animals is unusually entertaining. Sailor girls on a yachting trip round out the issue. Dull in spots and entertaining in others. Running time, 10 mins.

"Gem of the Sea"
(*Fox*)

Views of Ireland taken by Fox Magic Carpet. The shots of the lake country, and of the natives during play are particularly impressive. Those taken of the famous cathedral of Mt. Mellary, its carillon, and the monks during a religious service are striking. Running time, 9 mins.

"Death Drums of New Guinea"
(*Majestic*)

A 30-minute travelogue filmed by the Commander F. Strange Kolle and M. P. Greenwood Adams' expedition in the New Guinea Islands. While most of the subject deals with the usual tribal doings, which have ap-

(*Continued on page* 15)



Leon Rosenblatt, Prudential & Playhouse Operating Co., N. Y. C.

Looking Over Shorts

"Death Drums of New Guinea"

(Continued from page 14)

peared in many previous pictures, one or two incidents stand out as new. The Devil dancers, whose supreme diety is the Ghost Owl, kill four of their members when the bird starts moaning. This is an outstanding feature of the film. The photography is not clear at times.

"Sherman Said It"

(*Roach-M-G-M*)

Featuring Charley Chase, this is an amusing short. The action is laid in France, during the war, and the picture opens with Chase still fighting after the Armistice. The scene then shifts to various establishments, such as a laundry, where the comedian is forced to work off his debts before he can leave for home. Chase sings and dances his way through most of the picture. Running time, 16 mins.

"Kennel Kings"

(*Paramount*)

Grantland Rice exhibits some of the 70 different species of canines in this subject which holds considerable interest for the layman and a treat for dog lovers. Some of the hounds are seen in action while others are spotlighted at play. This Sportlight will fit on any program and will satisfy. Running time, 10 mins.

"Waltz in A Flat Major"

(*Audio Prod.*)

A fine musical rendition, aided by striking black-and-white photography, makes this work of Brahms always interesting and carries it far from the routine in shorts. Will appeal particularly to better class audiences. In houses that cater to such patronage, this will be welcomed. Running time, 4 mins.

"Supper at Six"

(*Universal*)

This is a Mentone sketch, set in a theatrical boarding house, and featuring Jack Arthur, of radio fame; Jack and Kay Spangler, Maude Odell and Hilda Spong.

A party is to be given by one of the boarders to celebrate the arrival of her alimony check, and all the roomers pitch in and give their bit to help entertain. An entertaining short, with the offerings of the cast not overdone. Running time, 18 mins.

"Ave Maria"

(*Audio Prod.*)

Church music, solemnly and richly played on the organ. "Ave Maria" is another in the new series of Audio Prod. designed to stress sound rather than film advances but very well done on both counts. Photographically, the subject confines itself to impressive church interiors with opening and closing cathedral shots. Impressive and commendable. Running time, 8 mins.

"Poppin' the Cork"

(*Educational*)

This is intended as a timely tieup with repeal. The scenes shift from a co-ed college where a debate is held on prohibtion to a night club where Milton Berle has a chance to introduce a number of gags. There are two snappy songs, "Poppin' the Cork" and "Here's Looking at You," by James Hanley and Benny Davis. Also, some good looking girls. It is nicely staged. Running time, 23½ mins.

"London Medley"

(*Fox*)

Another of the Fox Magic Carpet series showing views of London, its parks, churches, shops, theatres, restaurants and monuments. Interesting off-screen dialogue, explanatory and humorous, accompanies. Running time, 10 mins.

"I Eats My Spinach"

(*Paramount*)

One of Max Fleischer's "Popeye the Sailor" animated cartoons. Hilarious to the extreme, with many clever turns, this is something that can be booked without fear of going wrong. Popeye is set down at a rodeo, where in the excitement he challenges the steer wrestlers and the other western experts to match their work stride for stride. Popeye proves himself one better than the boys from the western plains. Running time, 7 mins.

"Parking Space"

(*Universal*)

An Oswald cartoon, built around the idea of a parking space for babies, with Oswald in charge. Complications set in when a colored babe sets fire to the building with his hot dancing. Oswald is the hero, rescuing the children and winning the praise of his girl friend. Fair entertainment. Running time, 7 mins.

"A Roming Romeo"

(*Paramount*)

An amusing short featuring Harry Langdon. Langdon is up to his old tricks, and he plays a golf game with his rival, the winner to marry the girl. There is a trick house on wheels in this one that is responsible for most of the laughs. Running time, 21 mins.

"Medbury in Morocco"

(*Columbia*)

Here's a travelogue which differs from the usual variety by the uncanny wit of John P. Medbury. He describes the customs and natives of the African city and garners any number of laughs. An audience at the Mayfair liked this Walter Futter subject and burst into giggles several times. Running time, 9 mins.

"The Freeze Out"

(*Educational*)

Moran and Mack are shown as a couple of colored prospectors in an Alaskan frontier town. Mack comes in with a lot of nuggets and a card sharper tries to take their roll. Moran slips bills off the sharper's pile every time an argument starts, and it finally winds up in a free-for-all in which the saloon is wrecked. It ought to appeal to the Moran and Mack fans. Running time, 17 mins.

"Chicken Reel"

(*Universal*)

Another of the Oswald series, with the scene laid in a barnyard. A hen hatches a duck in one of her broods, much to the dismay of the rooster, and to the delight of the other hens. But during a cloudburst, that floods the barnyard, and nearly drowns the fowl, Oswald, the duck, saves their lives, and becomes king of the yard. Fairly amusing. Running time, 8½ mins.

"Hula Moon"

(*Audio Prod.*)

Average Hawaiian number which follows a path well-worn by predecessors for this type of subject. The photography is in Technicolor. Not up to the standard of other early releases in the Audio series. Running time, 7 mins.

"The Last Dogie"

(*Educational*)

An entertaining musical featurette, starring James Melton, the radio tenor. Scene is laid in a bunk house on a ranch, with the hands singing as Melton enters. He joins in, and gives his version of several of the old western songs. Views of cattle on the range, and horses in corrals are spaced between shots of the bunk house. Running time, 11 mins.

"Air Maniacs"

(*Educational*)

Three aviators, John T. Murray, Frank "Spooks" Clark and Roy "Baldy" Wilson, do some thrilling stunts in planes, with Vince Barnett supplying the comedy relief. He is whirled through a series of gyrations sitting on the tail of a plane. It's a swell number. Running time, 10½ mins.

"Three Knaves and a Queen"

(*Radio*)

A most amusing and interesting short with a particular appeal to bridge players of all types. Instructive in all angles of bridge, with Ely Culbertson lecturing on bidding, counting and playing. Story is set in a charity bazaar, with Culbertson as a bridge lecturer. After his talk, he plays a series of hands in an amusing setting, and finally, after being set on a no-trump bid, explains why he lost, and closes the picture with some amusing comments on bridge players. Running time, 20 mins.

"Jumping Giants"

(*Paramount*)

A very interesting Grantland Rice "Sportlight" of fishing in the Gulf Stream for tarpon, and off the coast of California for marlin swordfish. Running time, 10 mins.

"Jack Denny and Band"

(*Vitaphone*)

Another of the Melody Master series featuring Jack Denny and his band. Paul Small does the vocals. Minor and Root, ballroom dancers, present three entertaining dances. Running time, 10 mins.

"Wild Elephinks"

(*Paramount*)

Popeye, the Sailor, off again on another of his adventures, this time on an island infested with all sorts of wild beasts. His prodigious strength again comes to his rescue. Entertaining. Running time, 8 mins.



"Roman Scandals" is without doubt one of the outstanding pictures of the year. Should do SRO business everywhere.

Michael Daly, Rialto Theatre, New Briton, Connecticut

No Operators' Protests Yet To Rosenblatt

(*Continued from page* 1)

prevailing in each locality. The code does not provide that compensation is not to be reduced as a result of shorter hours, although a number of other codes carry such a clause, Rosenblatt asserted.

This agrees with the DAILY's story. I. A. T. S. E. members are complaining that this is not in accord with the spirit of the NRA and are understood to be agitating for a change in the code to make it conform in this respect to other industry regulations.

Rosenblatt denies that he has made an exception to the 40-hour rule in behalf of the Boston operators' local which has a contract with exhibitors and no idle members. He states simply that a satisfactory adjustment was made there.

Name of A. F. Baker Off K. C. Code List

KANSAS CITY, Jan. 8.—The name of A. F. Baker, president of the Mossouri-Kansas Theatre Ass'n., has been taken off the list of nominations submitted to the Code Authority by the I. T. O. of Kansas City.

Baker was suggested as a representative of affiliated exhibitors on the grievance board. He protested his designation, asserting the Grubel houses over which he has supervision are no longer Publix-owned.

Jay Means, president of the independents, accepted this explanation and termed the designation "a mistake." George S. Baker, manager of the Publix Newman, and son of A. F. Baker, was named in his father's place.

Home offices of major distributors and affiliated circuit theatres recently requested their Kansas City managers to compile and dispatch to them suggestions for memberships on the local grievance board and zoning and clearance board. This has been done. Board nominations also have been submitted by individuals.

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Board Nominees Pouring in; 200 from 23 Cities Listed

(*Continued from page* 1)

each district is up to the Code Authority committee, comprising S. R. Kent, Charles L. O'Reilly, George J. Schaefer, W. Ray Johnston, Nathan Yamins and Ed Kuykendall.

All names submitted are card-indexed in Executive Secretary John C. Flinn's office. Each are listed in territories. Another group of recommendations is expected to be released today for comment from anyone in the industry. Favorable criticism as well as unfavorable is invited so that the authority may get the true picture of all men named.

Permanent headquarters in the RKO Bldg. will be decided today, the belief being that the 23rd floor will be selected in preference to the 19th. Expenses for administration of Code Authority are being kept at a minimum.

Temporary headquarters are in the Paramount Bldg., but the expectation is that next week will see the authority set up in its own offices in the RKO Bldg.

Authority Meets Tomorrow

With the authority meeting tomorrow night at H. M. Warner's office, methods of financing by taxing production, distribution and exhibition are expected to take up the entire evening with doubt existing as to whether anything definite will be decided upon at the forthcoming session.

Several plans have been suggested for raising funds and these will be threshed out at the adjourned session. Kent will preside. Eddie Cantor, Marie Dressler, George J. Schaefer and Harry M. Warner will be absent. Austin C. Keough will act for Schaefer and Harold S. Bareford for Warner. J. Robert Rubin may substitute for Nicholas M. Schenck.

The first list of names follows:

Albany, N. Y.—William Benton and Chris Buckley.

Atlanta—R. B. Wilby, O. C. Lam, Roy Le Craw, Wm. K. Jenkins, Mitchel Wolfson, Louis Bach, Ike Katz, and Albert G. Maxwell.

Boston—Edward Ausin, Walter B. Littlefield, Max L. Levenson, Phillip Smith and Ed Farrell.

Buffalo—Dr. Peter Cornell, Thomas J. Hanrahan, Phil Cadoret, Ned Komblike, Jules H. Michael, and J. Meyer Schine.

Chicago—Edward Grossman, Edwin Silverman, Aaron Saperstein, James Coston, Walter Immerman, Nate Wolf, Lou Reinheiner, Simon Simansky, Chas. Reagan, Phil Dunas, Felix Mendelssohn, J. Rubens, and Jack Rose.

Cincinnati—R. E. Myers, Willis Vance, Elmer Shard, Charles Fine, H. O. Krent, Frank W. Huss, and J. Meyer Schine.

Cleveland—P. E. Essick, Dan Robbins, John D. Kalafat, Frank Gross, M. S. Fine, M. B. Horwitz, Henry Greenberger, E. C. Flanigon, Paul Gusdanovic, Nat Lafton, Nat Holt, J. Himmelein, I. J. Schmertz, F. D. Drew, M. A. Mooney, Matt Goodman, Herb Greenblatt, H. C. Bissel, and J. Meyer Schine.

Dallas—Don C. Douglas.

Denver—Joe Ashby, Jim Morrison, Jack Langan, Wayne Ball, Rick Ricketson, L. J. Finske, H. E. Huffman, Henry Fredel, Earl Bell, Louis Hellborn, and Ed Schulte.

Detroit—Geo. W. Trendle.

Kansas City—W. J. Kubitzki, T. R. Thompson, Robert Withers, Jay Means, Fred Meyer, E. E. Webber, Mrs. A. Baier, George Baker, Fred Meyn, Arthur Cole, F. C. Hensler, Harry Taylor, Wm. Benjamin, Elmer Rhoden, A. F. Baker, Ed Dubinsky, C. V. McVey, Lawrence Lehman, and Roy Roberts.

Los Angeles—Carroll Peacock, Howard Stubbins, Jack Sullivan, Russell Rogers, George Hanes, and Harry Hicks.

Milwaukee—D. E. Weshner, Thomas E. Saxe, J. S. Grauman, W. L. Ainsworth, A. N. Schmetz, George L. Levine, H. J. Fitzgerald, Fred S. Meyer, C. W. Trampe, and Sam Shurman.

Minneapolis—Al Anson, Henry Green, Jos. Friedman, Frank C. Brickley, and Roy McMinn.

New York City—Louis F. Blumenthal, Harry Schiffman, Harry Brandt, Lawrence S. Bolignino, Joseph Suder, A. H. Schwartz, Leo Brecher, Rudolph Sanders, Leo Justin, Jack Haddem, Maurice Brown, Hyman Rachmil, and Fred Small.

Oklahoma City—R. I. Payne, Sol Davis, Pat McGee, Ralph Talbot, M. Lowenstein, A. B. Momand, W. B. Zoellner, L. F. Stocker, R. M. Clark, Fred Pickrel, and Charles R. Zears.

Omaha—D. V. McLucas, H. J. Chapman, Ralph Branton, Geo. F. Monroe, Jr., August Herman, Sam Epestein, H. A. Taylor, Gordon Ruth, W. W. Troxell, Chas. Prokop, Harry Day, Walter Creal, A. M. Avery, M. J. Stern, Morgan Ames, Geo. O. Monroe, Sr., Miss Regina Molseed, Thomas Burke, and H. F. Kennedy.

Philadelphia—Joe Willing, Philip Sherling, M. B. Comerford, Milton Rogasner, P. Mortimer Lewis, Charles Segal, Herbert J. Elliott, David Barrist, Jay Emanuel, Lewen Pizor, and Michael J. O'Toole.

Pittsburgh—A. M. Bowles, H. V. Harvey, Aaron Goldburg, Morgan A. Walsh, G. C. Parsons, and Barney Rose.

Portland, Me.—M. J. Garrity.

Portland, Ore.—Homer Gill, Andrew Sasso, George Jackson, Oscar Phelps, Ted Gamble, and Wm. Cutts.

Salt Lake City—Charles Walker, Maurice Saffle, W. F. Gordon, Robert Hill, Ray Hendry, C. E. Huish, Joseph Lawrence, John Gillette, and Stan Robbins.

San Francisco—Cliff Work, George M. Mann, George Ballentine, L. E. Tillman, Aaron Goldberg, Irving C. Ackerman, and George Nasser.

St. Louis—Fred Wehrenberg, Lito Hill, Oscar Lehr, Lon Cox, George Eigel, Charles Goldman, S. E. Pirtle, Clarence Kaiman, Albert Critchlow, Collin S. Espey, Harold Evans, George Thyson, H. H. Horman, and George Eigel.

Sirovich to Confer On Industry Probe

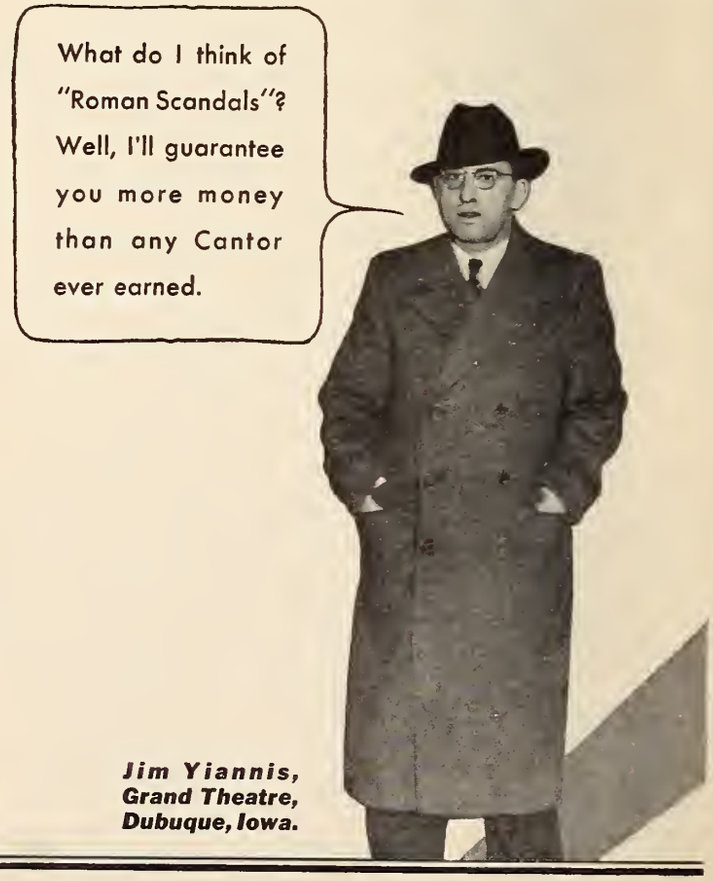
WASHINGTON, Jan. 8.—Declaring he has been deluged with complaints against the code, Representative Sirovich of New York within the next week or 10 days will call a meeting of some 30 of his colleagues to discuss the resolution providing for a film investigation introduced by him during the special session of Congress last spring, to determine whether it shall be pushed. At the same time, he said, he will ask his fellow Congressmen for their ideas as to whether the desired investigation should be widened.

The complaints reaching Sirovich, it is understood, center largely around block booking and alleged monopolistic practices, and it is indicated he will ask his colleagues whether the investigation, if pushed, should include a study of the code and the negotiations leading up to its adoption.

W. H. Doherty Soon To Join NRA Staff

WASHINGTON, Jan. 8.—William H. Doherty, well known here in newspaper circles and formerly a member of the staff of Universal Service, is to be appointed an assistant deputy administrator and attached to the film division, it was made known today by the Recovery Administration.

William H. Farnsworth, formerly assistant deputy administrator, has been promoted and now drops the "assistant" from his title.



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Erpi Experimenting on Broadcasting by Phones

Yamins Vows To Champion Indies' Cause

N.E. Showmen Honor Him At Boston Dinner

By RED KANN

BOSTON, Jan. 9.—Expressing his confidence in men like Sidney R. Kent and conceding independent interests in the industry were represented on the Code Authority with a minority vote, Nathan Yamins tonight voiced his belief a fair deal seemed assured. His efforts, he declared, would be toward combining with Charles L. O'Reilly and W. Ray Johnston, also members of the Code Authority, in a move to champion the cause of the independents and by this constant championing seek to swerve Code Authority members representing major interests to such a sympathetic and lasting point of view.

Yamins' talk came as one of the highlights of a dinner tendered in his honor by the New England film in-

(*Continued on page 8*)

Goldwyn Sees Jump In Theatre Scales

CHICAGO, Jan. 9.—Where admission prices are below normal they will have to go up to meet increased costs under the NRA, declared Sam Goldwyn, passing through here on his way to New York.

"Labor and other costs have mounted so considerably," he said, "that I don't see how they can be absorbed unless admission scales are raised where they are low at present.

He mentioned specifically the 25-cent top at Loew's Midland, Kansas City, where, he said, the scale is too low for the quality of the pictures

(*Continued on page 2*)

New Theatre Union Seeks Recognition

Demands for recognition of Local 118, Building Service Employes Union, and for a closed shop with a 40-hour week and wages commensurate with NRA standards, and a six-day week were voiced by 1,500 members of the new local at a dual meeting at Bryant Hall last night. Ushers, janitors and doormen were represented. The first meeting convened at 8 o'clock and the last at midnight.

The meetings went on record

(*Continued on page 8*)

107 Names in Second List Of Authority

Continuing its publicity drive on recommendations for nominations on the 64 clearance and zoning and grievance boards, the Code Authority lists 107 names from 17 key centers as the second list of applicants.

Again the authority reminds those making suggestions that they have 10 more days left in which to send in names. Unless candidates mail in compliance forms by Jan. 31, they will not be considered by the committee of six making the selections.

The second list of suggestions follows:

Boston—George A. Giles, E. M. Fay, Stanley Sumner, George Ramsdell, Martin J. Mullin.
Buffalo—W. H. Cadoret, John Reed, Sidney Samson, Jack Berkowitz, Vincent J. McFaul, Charles Hayman, Leon Shafer, H. T. Sixon, Dave Miller.
Chicago—Henry Herbel.
Cincinnati—Maurice White, Paul Krieger,

(*Continued on page 8*)

Authority Finances Up for Further Talk

An adjourned meeting of the second Code Authority session, scheduled for tonight at H. M. Warner's office, will discuss a workable plan for financing the authority. Although headquarters in the RKO Bldg. are set, official announcement will be made after tonight's session. S. R. Kent will preside.

Code Assents Warning Given By Kuykendall

Qualified assents to the code, or approvals of it with any reservations whatever, are not acceptable to the Code Authority, Ed Kuykendall, member of the authority and M.P.T.O.A. president, said in a statement issued here yesterday.

"It is my firm opinion that any association or individual who advises exhibitors, or anyone else in this industry, that they should send in an an assent to the code with any reservations whatsoever, is misleading those to whom they make the statement and in all probability is helping them to get into serious difficulties,"

(*Continued on page 8*)

Non-Signers Can't Protest—Rosenblatt

WASHINGTON, Jan. 9.—Reports the NRA has issued a ruling that exhibitors need not sign the code as a requirement to the filing of protests against clearance and zoning schedules were today declared at administration offices to be without foundation.

Division Administrator Sol A. Rosenblatt said he was without knowledge of such a ruling. The provisions of the code itself, requiring acceptance as a condition to the securing of relief, he asserted, have not been amended or suspended.

Many Enter Home Field With W. E. Building New Apparatus

Experiments in broadcasting over telephone wires direct to homes are being conducted by Erpi, and, providing the development proves to be commercially feasible, will result in Erpi's entering a new field as merchandiser of the equipment involved. Manufacturing would be handled by Western Electric, Erpi's parent company.

Although the experiments now under way have progressed to the extent where the Gotham Hotel has been wired for telephonic broadcasts, it is known that the plan is not yet revenue-producing. The most that is claimed for it, to date, is that it has demonstrated that transmission of broadcasts by wire can be far superior to radio transmission, particularly in sound reception.

The plan is understood to contemplate amplification of broadcasts by a system similar to that now employed in "stepping up" trans-oceanic telephone conversations. Reception in the home would be by a loud-speaker attachment for wires with charges, de-

(*Continued on page 2*)

No Film Help Seen In Foreign Quotas

Increased import quotas obtained from France and England by the State Department are not regarded by representatives of major company foreign departments here as having any direct effect on American film exports at this time. It was pointed out that the Administration's policy is to favor agricultural products wherever relaxed quota regulations permit an increase in our exports, and such products are regarded as the first to benefit from the quota negotiations at this stage.

Where an increase in our agricultural exports cannot be absorbed, man-

(*Continued on page 2*)

Chase States Film Interests Improve

The Chase National Bank, in its annual statement issued yesterday, reported that considerable progress had been made in 1933 in safeguarding

(*Continued on page 2*)

NRA Man Here Charges Code Is Loosely Drawn

Claiming that the film code was loosely drawn, James H. Hodgson, regional NRA compliance board chairman, yesterday proposed reopening hearings on the code in an attempt to tighten the moot points which are being contested by various factions in the industry. He made the proposal before members of Local 306, I.T.O.A. and Allied M. P. Operators at a hearing on code violation charges filed against the I.T.O.A. and Allied union by Harry Sherman, president of Local 306.

While he pleaded with the I.T.O.A. and Allied operators to observe the spirit of the NRA in connection with

(*Continued on page 8*)

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"Cavalcade" First in Film Daily '33 Poll

"Cavalcade" was voted the first on *Film Daily's* 10 best pictures of 1933. The Fox picture scored 304 of 384 votes in the test. Runner up was "42nd Street," a Warner film which chalked up 209 votes.

The other eight selections follow: "Private Life of Henry VIII," (U.A.), 187 votes; "Lady for a Day," (Col.), 173; "State Fair," (Fox), 169; "Farewell to Arms," (Para.), 167; "She Done Him Wrong," (Para.), 158; "I'm a Fugitive from a Chain Gang," (Warners), 156; "Maedchen in Uniform," (Filmchoice), 137; "Rasputin and the Empress," (M-G-M), 128.



Flash Reviews

"Cross Country Cruise"
(Universal)

A well-knit, smoothly running story, with both young and old appeal. . . .

"The Fighting Code"
(Columbia)

Will please western fans to a "t." Buck Jones puts this over with a bang. . . .

"Big Time or Bust"
(Capitol)

Little of originality is to be found in "Big Time or Bust." . . . However, there is some good acting and some glittering settings. . . .

"Public Stenographer"
(Showmen's Pictures)

Fairly entertaining melodrama which would go nicely on a dual program. . . .

Complete reviews of these films will appear in a later issue of MOTION PICTURE DAILY.

No Film Help Seen In Foreign Quotas

(*Continued from page* 1)

ufactured products may then be substituted, it was said. The new French quota allowances set aside the projected restrictions announced last September insofar as America is concerned and continues the quota totals existing for the last year and three-quarters, only 25 per cent of which had been allotted to the U. S. up to the time the new quota allowances were announced.

Cullman Repeats Denial

Answering reports that S. L. (Roxy) Rothafel would return to the Roxy, Howard S. Cullman yesterday reiterated "there is no change of any kind whatsoever contemplated in the management or operation of the theatre."

"Moulin Rouge" Shown

Simultaneously with trade showings in all key cities of the country, "Moulin Rouge," 20th Century's latest starring Constance Bennett, was shown at the Astor yesterday morning.

Postpone P. E. Meet

A Publix Enterprises creditors' meeting scheduled for yesterday before Referee Henry K. Davis was postponed to Jan. 16.

Goldwyn Sees Jump In Theatre Scales

(*Continued from page* 1)

shown. Last season Goldwyn forbade showing of his product first run at that price.

Goldwyn was non-committal on whether he thought increased production costs would boost film rentals.

He did say, however, that he has not changed his mind on opposition to any code ban on star raiding. He reiterated that he was still in favor of "allowing stars full freedom in determining for themselves where they will work."

Goldwyn will confer in New York with Eddie Cantor on his next picture and will then go to Russia.

Flinn Back at Ampa

John C. Flinn will again take up his post as president of the Ampa tomorrow, after being away one meeting. Flinn is executive secretary of Code Authority and attended a session of that body last Thursday.

Gottlieb in from Mexico

Bernard Gottlieb, manager of M-G-M's Mexico office, is in New York, having made the trip to attend his father's funeral. He will remain in town for three weeks.

Most Issues Show Slight Gain

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	23	23	23	.....	100
Consolidated Film Industries	3¼	3¼	3¼	+ ⅛	100
Consolidated Film Industries, pfd	11¾	11¼	11⅝	+ ⅜	200
Eastman Kodak	80¾	80	80	+ ¾	600
Fox Film "A"	12½	12½	12½	+ ¼	100
Loew's, Inc.	27	26¾	26⅞	+ ⅛	2,100
Loew's, Inc., pfd	73	73	73	+1	100
Paramount. cts	1⅞	1⅞	1⅞	.....	6
Pathe Exchange "A"	11	10½	11	+ ½	1,000
RKO	2⅜	2¼	2⅜	.....	200
Warner Bros.	5	4⅞	5	+ ⅛	600

Technicolor Jumps ⅜ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	8½	8½	8½	+ ⅜	100

Keith Bonds Rise 1½ Points

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	4	3¾	3¾	+ ½	5
Keith E. F. 6s '46	52½	52½	52½	1½	3
Loew's 6s '41, ww deb rights	86¼	86¼	86¼	.....	1
Paramount Broadway 5½s '51	30⅛	30⅛	30⅛	+ ⅛	1
Paramount Publix 5½s '50	30	29½	29½	+ ¼	16
Warner Bros. 6s '39, wd	42	41¼	42	+ ¾	3

Erpi Testing Out Phone Broadcasting

(*Continued from page* 1)

signed to be very small, added to telephone bills. Control switches at the reception end would permit a selection of dance music, classical or chember music and sports or news events from noon of one day to 1 A. M. of the next. As use of the system developed, it is understood, variety would be added to the broadcasts, and they would probably originate at central studios directed by Erpi.

The experiments now under way at the Gotham employ only electrical transcriptions for the wire broadcasts.

The success of the plan, it is surmised, would put Erpi, at present an accessory of the theatre and production industry, in the position of an entertainment producer and distributor.

Academy Protests Guild Code Moves

HOLLYWOOD, Jan. 9.—Despite protests from the Academy that no groups or organizations have been requested to nominate candidates for code committee under the terms of a ruling received from Division Administrator Sol A. Rosenblatt, the Screen Writers' Guild is continuing its plan to submit a list of candidates for code committees.

The guild has named Edward Lawson as its candidate for Code Authority, Ernest Pascal and Wells Root for the agents' committee, and H. P. Garrett, Rupert Hughes, Ralph Block, John Natteford, Seton I. Miller, Gladys Lehman, Samuel K. Conitz, John Emerson, Courtney Terrett, James Gleason, Dudley Nichols and Raymond Schrock for the five and five committee.

Phillipson Arrives With Ticket Device

Plans to strengthen the position of Automaticket England by creating a wider market for its product in this country through its American branch, the General Register Corp., were revealed yesterday by Percy Phillipson, managing director of both firms, upon his arrival here aboard the *Aquitania*.

Phillipson hopes to introduce a ticket taker described by him as "absolutely silent" and a machine that prints tickets as they are issued at the box-office. These machines, according to him, have never been marketed.

Chase States Film Interests Improve

(*Continued from page* 1)

its picture interests. Earnings for the year amounted to $25,298,094 before reserves and charge-offs.

Discussing its film activities the report said:

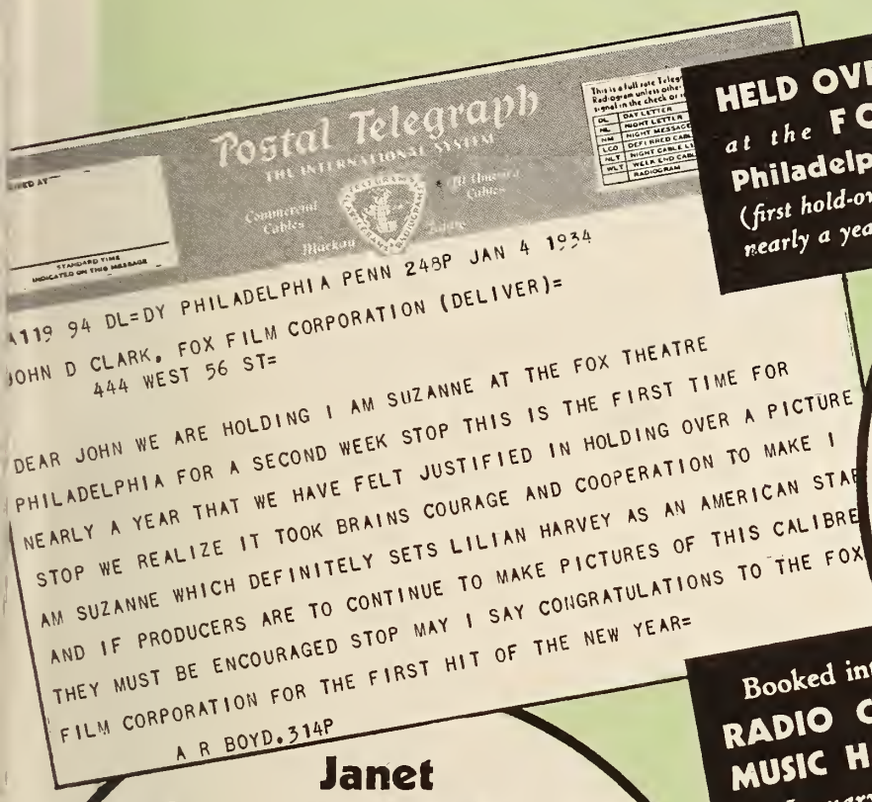
"During the year substantial headway has been made in protecting and improving the interest of the bank in the Fox Film Corp., General Theatres Equipment, Inc., and associated enterprise."

Bishop Set for Clean-up

LOS ANGELES, Jan. 9.—Bishop John J. Cantwell of the Catholic diocese of Los Angeles, said today a campaign definitely will be launched by him to boycott questionable films.

UP GOES BUSINESS

where these FOX pictures are playing



Postal Telegraph
THE INTERNATIONAL SYSTEM
Commercial Cables — All America Cables — Blackan — Radio

A119 94 DL=DY PHILADELPHIA PENN 248P JAN 4 1934
JOHN D CLARK, FOX FILM CORPORATION (DELIVER)=
444 WEST 56 ST=

DEAR JOHN WE ARE HOLDING I AM SUZANNE AT THE FOX THEATRE
PHILADELPHIA FOR A SECOND WEEK STOP THIS IS THE FIRST TIME FOR
NEARLY A YEAR THAT WE HAVE FELT JUSTIFIED IN HOLDING OVER A PICTURE
STOP WE REALIZE IT TOOK BRAINS COURAGE AND COOPERATION TO MAKE I
AM SUZANNE WHICH DEFINITELY SETS LILIAN HARVEY AS AN AMERICAN STAR
AND IF PRODUCERS ARE TO CONTINUE TO MAKE PICTURES OF THIS CALIBRE
THEY MUST BE ENCOURAGED STOP MAY I SAY CONGRATULATIONS TO THE FOX
FILM CORPORATION FOR THE FIRST HIT OF THE NEW YEAR=
A R BOYD.314P

HELD OVER *at the* **FOX Philadelphia** *(first hold-over in nearly a year)*

Booked into RADIO CITY MUSIC HALL *for January 18th showing*

I AM SUZANNE!

with

LILIAN HARVEY

GENE RAYMOND
LESLIE BANKS
Podrecca's Piccoli Marionettes
Directed by Rowland V. Lee
JESSE L. LASKY
Production

Janet GAYNOR
Lionel BARRYMORE
in

"CAROLINA"

Robert Young • Richard Cromwell
Henrietta Crosman • Mona Barrie
Stepin Fetchit
From Paul Green's "The House of Connelly"
Directed by Henry King

A story so rich in drama . . . romance . . . humanness . . . and humor . . . that two of the screen's outstanding stars have every opportunity to give *fully* of their inspired genius.

2nd WEEK *for* **SMOKY** *at the* **MAYFAIR, N.Y.**

Unstinted critics' praise (*Daily News:* ★★★) as most human horse ever born moves capacity crowds to laughs and tears.

FOX

Your patrons always like
FOX MOVIETONE NEWS



TO COLUMBIA PICTURES CORP.
OPENED SATURDAY WITH LETS FALL IN LOVE STOP THIS IS A GREAT AND UNUSUAL PICTURE FOR A MUSICAL STOP OUR AUDIENCE ENJOYED THIS VERY MUCH STOP COLUMBIA HAS GIVEN US SOMETHING NEW IN CLEAN CUT REALLY ENJOYABLE MUSICALS STOP PICTURE OPENED SPLENDIDLY DESPITE WORST WEATHER OF THE YEAR
W T MURRAY
RIALTO THEATRE ATLANTA GEORGIA

•

"Top notch entertainment for anybody's theatre. LET'S FALL IN LOVE is a sock number which about tops current tunes in films . ."
—Daily Variety

•

"Really something new in film musical romances. It's good entertainment."
—Buffalo Courier-Express

LET'S FALL

with EDMU

Ann Sothern • Mi

Direc

A COLU

Story and screen play by Herbert Fields

COLUMBIA PICTURES



TO COLUMBIA PICTURES CORP.
LETS FALL IN LOVE SPLENDID BOX OFFICE PICTURE STOP AUDIENCE REACTION VERY GOOD

A C HAYMAN
LAFAYETTE THEATRE
BUFFALO NEW YORK

•

"The best that Columbia has had on its program for a long time. It reaches the top spot in attractions and should bring in big returns for the theatres. A swell piece of entertainment. Don't let the picture sneak in in on you or your audience; it should be ballyhooed to get the effects it deserves . ."

—Hollywood Reporter

•

"Utterly charming entertainment, told and sung with captivating art."

—Atlanta Constitution

IN LOVE"

D LOWE

rdan • Gregory Ratoff

id Burton

PICTURE

Music and lyrics by
Harold Arlen and Ted Koehler

The producers who discovered and brought KATHARINE HEPBURN *to triumphant stardom confidently offer the screen debut of a blazing new star*

FRANCIS LEDERER

. . . . DESTINED FOR GREATNESS!



PREVIEW COMMENTS:

"Stands out like an Orangeman in a St. Patrick's Day celebration."
Variety (Hollywood)

"May be well served as a promise of Nectar and Ambrosia to come from Lederer." *M. P. Daily*

☆

WORLD PREMIERE
THURSDAY, JAN. 11
RADIO CITY
MUSIC HALL

☆

FRANCIS LEDERER
ELISSA LANDI
in
"MAN OF TWO

with Henry Stephenson . . . . J. Farrell MacDonald . . . . Directed by J. Wa



R K O
RADIO
PICTURE
RIAN C. COOPER,
CUTIVE PRODUCER

WORLDS!!

ben . . . . A Pandro S. Berman Production

Yamins Vows To Champion Indies' Cause

(Continued from page 1)

dustry. Over 200 strong, independent and affiliated exhibitors, met at the Copley-Plaza to take cognizance of the elevation to the Code Authority of a man from their own midst.

"I regard the code as a marvelous opportunity for the industry at large and for the exhibitors in particular," he said. "I do not view the code in a literal sense because if I did I would be disappointed. There are many fundamental principles important to independents which are lacking and they should be there. Rather do I view the code as the NRA's expression of the New Deal. The code itself expires on Jan. 1, 1935, but regardless of that I say the day is gone when ruthless operation in business may disregard the rights of the individual."

Sees Chance to Convince Others

Yamins added he saw in his position on the Code Authority a coupling opportunity to drive his point home to other members who are identified with the larger companies and that "properly this is my task." Likewise he made it clear it was his opinion the Authority had to function adequately and thoroughly. He warned unless it did the government might step in further.

"I am not frightened because we can carry only the minority vote," he continued. "I pin my faith on the record and the President and am certain that if the majority vote is lacking in support of those measures that should be adopted the code will be changed. That, however, I do not think will be necessary."

It became apparent on the basis of their utterances that O'Reilly, Johnston and Yamins will swing their vote in a block on Code Authority decisions.

"There are two big fine things about the code. One is its title, which describes it as a code of fair competition and the other is the fact it was promulgated to protect small enterprises," O'Reilly stated. He, like Yamins, expressed the opinion the Authority as a group will give everything it has to further fair trade practices in the business.

Myers credited Yamins with possessing the only completely independent point of view on Code Authority personnel. "You are one in 10 and you will find the independents of the United States looking to you and to you only to represent their interests," the general counsel of Allied stated. Sidney Samuelson, president of New Jersey Allied, echoed Myers' sentiments when he declared the destiny of the independents was in Yamins' hands.

Other speakers included Edward Fay of Providence; George Gile, president of the Allied Exhibitors of New England; Maurice Wolf, M-G-M manager here, and Walter Littlefield, Division Administrator Sol A. Rosenblatt, who had expected to attend, sent a telegram instead. Several hundred letters and telegrams were received from persons unable to attend, as well as laudations from R. H. Cochrane, E. O. Heyl, George J. Schaefer and Kent.

Justice Lewis Goldberg was toastmaster and Max L. Levenson chairman. Yamins will be presented with a silver table service. Tomorrow he leaves for New York for a meeting of the Code Authority in the evening.

Among the guests were Governor Joseph B. Ely; General Daniel Needham, Massachusetts Commissioner of Public Safety; Mayor Joseph Hurley of Fall River; Herbert McNary, city censor; Abe Montague and Joseph McConville.

Largely responsible for the dinner and the arrangements were Edward Ansin, Irving Green, Ralph Snider, George Ramsdell, Philip Smith, W. H. McLaughlin, Carl Myshrall, E. M. Lowe, William A. Viano and Frank Lydon.

Honored



© Bachrach

Boston, Jan. 9. — Nathan Yamins, president of Independent Exhibitors, Inc., and a member of Code Authority, who was tendered a dinner by the industry in The Hub tonight.

New Theatre Union Seeks Recognition

(Continued from page 1)

against "split" shifts and the "stagger" system for ushers and doormen, and members voted to attempt to end racketeering in employment agencies which were charged with gouging employes by a "hire-and-fire" system. Results of a survey made by the local and tending to show that second and third run theatre operators "were taking advantage of Division Administrator Sol A. Rosenblatt's utilitarian code which permits 'emergency' men to work more than 40 hours a week as skilled labor, by applying its provisions to janitors," were disclosed at the meeting.

The meeting approved the naming of committees of three, representing ushers, doormen and janitors to draft new wage scales to be presented as a basis for collective bargaining.

Word came to the meeting that the Springer & Cocalis circuit had called a meeting of employes for midnight last night at the Symphony and steps were taken to make the action a basis for charges before the regional NRA compliance board here that the circuit sought to circumvent NRA provisions for collective bargaining by holding the meeting at the same hour at which the meeting of Local 118 was being held.

107 Names in Second List Of Authority

(Continued from page 1)

I. Libson, J. Real Neth, Stanley Jacques, Allan Moritz, W. A. Finney, William Keyes, Harold Bernstein.

Cleveland—Martin G. Smith, Nat Wolf, John Kumler, Charles Burton.

Dallas—H. H. Cluck, O. A. Englebrecht, Roy L. Walker, L. C. Tidball.

Detroit—Lester Sturn, J. L. Saxe, E. C. Beatty, Ed Kirchner, J. E. Flynn, Carl H. Shalis, Robert Peltier, Charles A. Komer, James C. Ritter.

Kansas City, Mo.—Clarence Schultz, Ward Scott, William Troog, William Warner.

Los Angeles—Jake Milstein, Al O'Keefe, Lou Halper, Ben Berinstein.

Memphis—Paul Wilson, Jimmy Rogers, Howard Waugh, Bill Ruffin, Page Baker, W. E. Sipe, Cecil Vogel, M. A. Lightman, T. W. Sharp, A. J. Suzore.

Milwaukee—A. D. Kvool.

New Orleans—Harry McLeod, Joe Barcelona, J. Alsino, C. J. Briant, Will Shields, Maurice F. Barr, Bert Kiern, Luke Conner, Huston Duvall, Rodney Toufs.

North and South Carolina—Ira Furman, H. E. Everett, H. F. Kincey, Charles W. Picquet, J. F. Kirby, R. J. Ingram, Montgomery Hill, Albert Sotille, Murphy Gregg, Sam Craver.

Omaha—A. Mendenhall, C. M. Parkhurst, Harry Weinberg, C. E. Williams, Mort Singer, Nathan Dax.

Philadelphia—Robert Mochrie, M. S. Landow, Morris Wax, Leon Schlesinger, Robert Lynch, Harry Bodkin.

Portland—Miss Ruth Doyle.

Washington—A. J. Brylawski, Herman A. Blum, Robert Smeltzer, Sam Galanty, J. J. Payette, Walter Coulter, Louis Garman, William S. Wilder.

Portland to Seek Rule on Giveaways

PORTLAND, Jan. 9.—Friendly complaints against three local theatres are to be made to the NRA in order to hasten a ruling on giveaways, lotteries, etc., as a result of a decision reached yesterday at a meeting of 50 exhibitors and exchange officials at the M. P. Club.

Homer Gill is leaving the city. As a result Ted Gamble was named on a committee which has been studying code infractions.

Janitors Protest

A complaint charging the Windsor Circuit, Brooklyn, with working eight janitors 84 hours a week for an average wage of 16 cents an hour in violation of NRA provisions was filed with the NRA Regional Compliance Board here yesterday by Local 118, Building Service Employes Union. A hearing on the complaint was set for Friday.

Code Assents Warning Given By Kuykendall

(Continued from page 1)

Kuykendall's statement read. "Any serious-minded person who is in any way anxious to be helpful to the exhibitors in this country would not given such advice.

"I know it to be a positive fact," the statement continued, "that the only acceptable assent that can be received by the Code Authority must be without any reservations whatsoever, and I sincerely advise exhibitors not to jeopardize their interests by trying to evade the spirit of the code. The exhibitor's only procedure should be a whole-hearted assent, and then, if anything appears that is discriminatory or unfair, it should be taken up through the various boards and the Code Authority as the law requires.

"Sign the regular, authorized form for code assent as sent out by the Code Authority," the statement concluded. "No other is acceptable."

NRA Man Here Holds Code Loosely Drawn

(Continued from page 1)

labor, Hodgson would not hand down a decision on the complaints, stating he could not understand the film code. He compared it with codes for other industries and said he "wouldn't go for it in its present form."

Hodgson asked the parties present not to make any statements after the hearing. He expressed surprise that the NRA permitted the code to go out in its present form and he is also understood to have criticized Division Administrator Sol A. Rosenblatt for not tightening up the loopholes.

It is understood that the proposal for reopening code hearings will be made directly to Hugh S. Johnson.

Nebraska-Iowa Men Vote Ban on Duals

OMAHA, Jan. 9.—Independent exhibitors from the country territory voted unanimously today to eliminate premiums and to ban duals, provided the latter are dropped by metropolitan houses. This decision was the high spot of the first day of the meeting of Nebraska-Iowa M.P.T.O. here.

Sound Men Start Voting

HOLLYWOOD, Jan. 9.—Sound men today began election of collective bargaining representatives.

U6 buyers marvel users sigh competitors gasp

ENGINEERING SKILL CANONIZED IT

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 35. NO. 9 NEW YORK, THURSDAY, JANUARY 11, 1934 TEN CENTS

New Theatre Union Scales Now in Work

Levey Says Rates Will "Knock 'Em Cold"

"The new wage scales for ushers, unitors and doormen will knock exhibitors cold," Charles C. Levey, secretary-treasurer of Local 118, Building Service Employes' Union, said esterday, as committees of three from very theatre in the metropolitan area aving employes in the union began ork on the new scales.

"The new wage scales will be the mployes' retaliation," Levey said, for the present $10 and $14 scales hich are economically unsound and ocially unjust."

Levey declared that "recent wage eductions by theatre operators which rought the maximum here to the inimum permitted by the code

(Continued on page 6)

Labor Board to Rule On N. O. Union Issue

NEW ORLEANS, Jan. 10.—Whether nion men who go out on sympathetic rikes when they have no grievances hemselves are entitled to considera- on is to be decided soon by the Na- onal Labor Board. A hearing has een ordered for Jan. 16.

Last September, when vaudeville eemed to be on the wane, Loew's ave the musicians two weeks' notice. hey went on strike. Operators and agehands went out in sympathy and ere replaced by non-union men. Now he operators and stagehands are de- anding reinstatement.

Union Wins Kansas NRA Labor Dispute

ARKANSAS CITY, Kan., Jan. 10.— he first labor dispute arbitrated in is territory under the industry code as resulted in a ruling favorable to nion employes. The I. A. T. S. E. nvoked the code's overriding pro- ision relating to wage scales and

(Continued on page 6)

Jack Miller Cited For Court Contempt

CHICAGO, Jan. 10.—Investigation in- the income of Tom Maloy, head f the operators' union, which brought number of exhibitors before the rand Jury yesterday, has resulted in

(Continued on page 8)

Dubinsky to Seek Test of NRA Power

Opposing Enforcement of Aug. 23 Labor Terms

KANSAS CITY, Jan. 10. — Resisting union demands for a continuation of labor conditions prevailing Aug. 23, as provided in the code, Ed Dubinsky says he intends to seek a test of the NRA.

"I have asked the National Labor Board to investigate who is violating the NRA," he said.

Recently the I. A. T. S. E. filed a complaint with Division Administration Sol A. Rosenblatt against the Dubinsky circuit, alleging violations in St. Joseph, Mo., and citing the union's inability to reach an agreement in Kansas City.

Since that time Rosenblatt has been in communication with Dubinsky and the Kansas City independent theatre

(Continued on page 6)

Virginia Awaits Open Sunday Bill

RICHMOND, Jan. 10.—Another open Sunday bill is to be introduced into the Legislature which convened at noon today, according to Vivian L. Page, representative from Norfolk.

Public interest is thoroughly aroused at present because of the arrest of Walter J. Coulter and several of his employes for giving a charity benefit

(Continued on page 8)

Ontario Expects No New Government Tax

TORONTO, Jan. 10.—Agenda for the session of the Ontario Parliament which opens shortly contains no measures intended to increase taxation on film exchanges or theatres, and no in-

(Continued on page 8)

One Real Colonel

Cincinnati, Jan. 10. — Although four local exchange managers bear the title of Colonel on the staff of Kentucky governors, Arthur Frudenfeld, division manager of RKO, can go them one better. He's a regular colonel of the U. S. Army.

Allied Unit Mystified By Myers' Advice

CHICAGO, Jan. 10.—A meeting of 75 members of Allied States unit here was thrown into a quandary today following the reading of Abram F. Myers' analysis of procedure in assenting to the code. Exactly what they are supposed to do appears now to be a mystery to them.

When leaders of the local Allied unit refused to translate Myers' analysis into a definite recommendation, the question of code signing was thrown into the open meeting and resulted in a virtual demand that Myers and other Allied officers supply them with some genuine cue for action.

Ed Trinz, of Lubliner & Trinz circuit, voiced the sentiment of the meeting in declaring: "We have always followed Allied's lead in the past and

(Continued on page 6)

Sirovich Comes To Independents' Aid

WASHINGTON, Jan. 10.—Charges that independents are being penalized and discriminated against under the code have been submitted to Representative William I. Sirovich by Abram F. Myers, it was made known by the congressman today. In his communication, the general counsel

(Continued on page 6)

Code Assents Total 2,500 In Two Days

Compliances Pouring in On the Authority

More than 2,500 code assents have been received in the first two days at the Code Authority headquarters. Compliances are pouring in from exhibitors from all over the country, indicating that the industry is cooperating with the President and the NRA, according to an official spokesman.

Included in the list were about 100 assents with reservations. These have been returned to the signers with new blanks and a letter pointing out that the form clearly indicates the "assent is invalid if qualified." Unless the signers of the invalid forms return the new blanks without modifications by Jan. 31, they will not be registered to qualify under the code, it was stated.

It was emphasized there is no provision in the code giving individuals the right to sign twice, but since the authority is anxious to have everyone

(Continued on page 6)

Still Shorter Week Is Seen By Johnson

WASHINGTON, Jan. 10.—Further reduction in working hours for practically all industries is under consideration by the Recovery Administration, it was made known today by General Hugh S. Johnson. This, with the coordination of all codes, is expected to be brought up for discus-

(Continued on page 6)

Poster Code Meets Warm Denunciation

WASHINGTON, Jan. 10.—Faced with bitter denunciation of his code by film producers, George P. Aarons, counsel for the National Poster Exchange Ass'n., today sought to withdraw the poster code for an undisclosed amendment to define the exact purpose of

(Continued on page 6)

Chicago Musicians Vary Stagger Plan

CHICAGO, Jan. 10.—Approximately 300 local unemployed musicians will get one week's work each month under the plan inaugurated this week by the

(Continued on page 6)

Testimony Completed on $18,000,000 RKO Claims

Taking of testimony on claims filed against RKO by Rockefeller Center, aggregating approximately $18,000,000, was completed yesterday by former Federal Judge Thomas D. Thacher, sitting as special master to hear all claims contested by Irving Trust Co., equity receiver for RKO.

Rockefeller Center's liquidated claims against RKO are based upon breach of leases in non-payment of

(Continued on page 8)

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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Editor-in-Chief and Publisher

MAURICE KANN
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JAMES A. CRON
Advertising Manager

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Consolidated Film Leads Rising Market

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	23¼	23¼	23¼	+ ¼	100
Consolidated Film Industries	3½	3¼	3¼	+ ¼	400
Consolidated Film Industries, pfd	12⅞	11½	12⅞	+1¼	2,200
Eastman Kodak	81¼	80	81¼	+1¼	900
Fox Film "A"	12¾	12½	12½	....	300
Loew's, Inc.	27	26½	27	+ ⅛	1,800
Loew's, Inc., pfd	73⅜	73⅛	73⅜	+ ⅜	100
Paramount, cts	2	1⅞	2	+ ⅛	2,400
Pathe Exchange "A"	11¼	10⅞	11¼	+ ¼	500
RKO	2⅜	2¼	2¼	— ⅛	400
Warner Bros.	5⅛	4⅞	5⅛	+ ⅛	3,000

Technicolor Off ⅜ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	8¼	8⅛	8⅛	— ⅜	400

Loew Bonds Jump 1⅛ Points

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	4	4	4	+ ¼	8
eneral Theatre Equipment 6s '40, ctf	4	4	4	s7	1
Keith B. F. 6s '46	52	51¼	52	— ½	2
Loew's 6s '41, ww deb rights	87⅜	86½	87⅜	+1⅛	7
Paramount Broadway 5½s '51	30½	30½	30½	+ ⅜	1
Paramount F. L. 6s '47	30	30	30	+ ⅜	2
Paramount Publix 5½s '50	29½	29	29½	— ½	5
'athe 7s '37, ww	88½	88	88	.....	3
Warner Bros. 6s '39, wd	42	41½	42	.....	15

Flax Takes Astor List

Flax Brothers have taken over Astor Pictures Corp. product for distribution in Maryland, District of Columbia, Delaware and Virginia through the Liberty Film Exchange, Washington. The list includes 12 three-reel "Bud 'n Ben" westerns, 12 two-reel "Flash" thrillers and "Killers of the Chaparral."

T. J. Grady Dead

RICHMOND, Jan. 10.—T. J. Grady, 52, well-known in theatrical circles here, who for several years had been living in West Point, Va., died at his home at that place.

P.-P. Meet Is Postponed

A Paramount Publix creditors' meeting scheduled for yesterday before Referee Henry K. Davis was postponed to Jan. 17.

Jacob Genell Buried

Jacob Genell, former exhibitor, who passed away late Monday evening, was buried yesterday following services held at Garlick's Funeral Chapel. He was 45 and left a wife and two daughters. About a year ago he lost a son.

Genell was formerly a partner in the Genell, Pekelner and Horowitz circuit and suffered a paralytic stroke shortly after the collapse of the organization about three years ago.

Temple Benefit Set

The annual benefit for Temple Ezrath Israel for the maintenance of its Actors' Chapel will be held Sunday night at the Majestic. Those who have promised to appear include: Willie and Eugene Howard, George Jessel, Bert Lahr, Jack Benny, Mary Livingston and others. The committee in charge includes Abe Lastfogel, William Rowland, Herman Bernie and Rabbi Bernard Birstein.

South on Upgrade: Scully

Back from a sales trip to the south, William Scully, M-G-M district manager, reports business has picked up to such an extent that exhibitors are keeping it no secret. Few, if any, theatres are closed, Scully reports. He visited Washington and Charlotte before returning yesterday.

Delay Warner Suit

Trial of the Department of Justice anti-trust suit against Warner Bros. based on the acquisition of First National was postponed yesterday to March 10. The action, pending for more than two years, had been scheduled for trial in U. S. District Court here yesterday.

Purely Personal

DOUGLAS FAIRBANKS, JR., will sail Saturday on the *Ile de France* to resume work in London. He arrives here today. He has just finished "Success Story" for Radio.

MAURICE CHEVALIER will stay in town for a few days before leaving for the coast to start work in "The Merry Widow" for M-G-M.

THE GEORGE O'BRIENS (MARGUERITE CHURCHILL) were interested spectators at the charity tennis match at the Garden last night.

HERMAN STARR and GRADWELL SEARS leave this afternoon on the Orange Blossom Special for a short vacation in Miami.

RUBE WOLF has arrived from the coast and takes up the baton as master of ceremonies for the Roxy starting tomorrow.

DOLORES DEL RIO and her husband, CEDRIC GIBBONS, attended Tuesday's performance of "The Dark Tower."

FELIX FEIST, general sales manager for M-G-M, is on a two weeks' vacation.

BERT SANFORD of Erpi is in Boston and will remain there for the rest of the week.

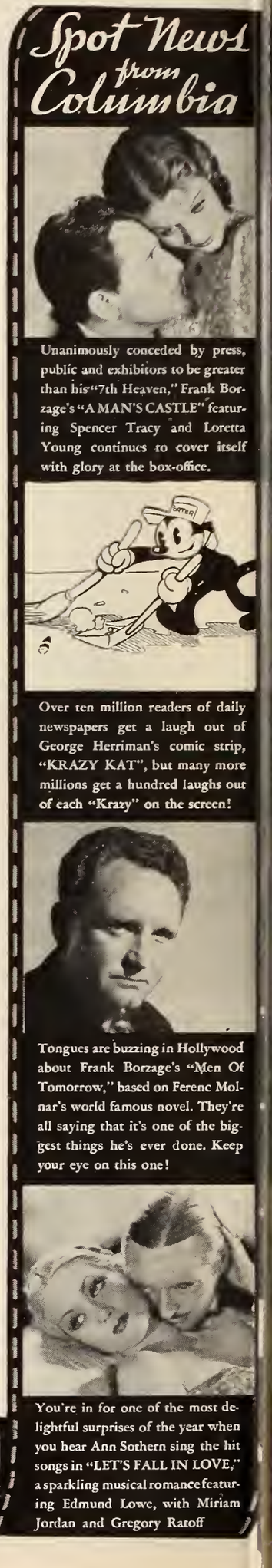
BARBARA STANWYCK is due in town in a day or two for an indefinite stay.

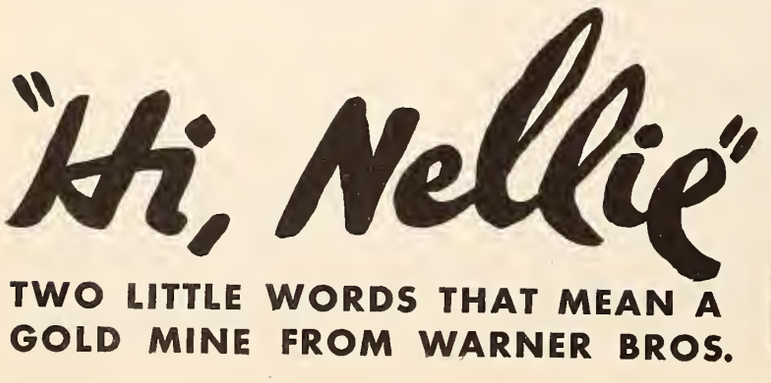
Terry-Toons Booked

"Sunny South," a Terry-Toon, has been booked into the Music Hall, beginning today. Another Terry-Toon, "The Village Blacksmith," has been booked over the entire RKO metropolitan circuit for the week starting Saturday.

Headliners for Ampa

Dolores Del Rio, Walter Huston, Howard Hawks and Cedric Gibbons will grace the Ampa roster today in addition to fan magazine editors. John C. Flinn will preside.







"Best business

Orpheum Theatre (San Francisco) has enjoyed since start of present policy has been with your current picture, 'Cross Country Cruise.'"

—Charlie Caballero
Manager

with

JUNE KNIGHT

ALICE WHITE, Alan Dinehart, Eugene Palette, Henry Armetta. Story by Stanley Rauh. Produced by Carl Laemmle, Jr. Directed by Edward Buzzell. Presented by Carl Laemmle.



LEW AYRES IN CROSS COUNTRY CRUISE

Take a letter please—

Dear Mister exhibitor—
There is so much good news to tell you as the year 1934 gets under way—
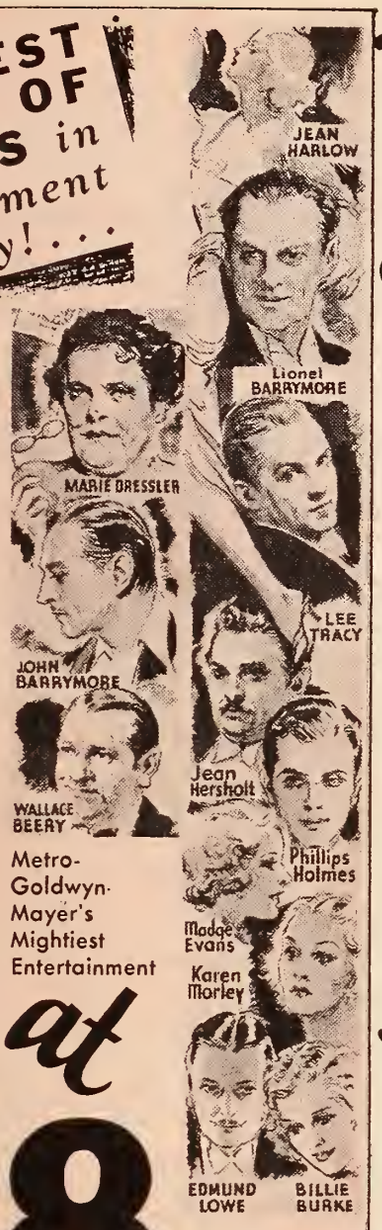






when the public stands in line to see a #2. show in these days it must be the greatest attraction of our times GARBO packs 'em in at every performance of "Queen Christina" the big show of 1934!



BIGGEST CAST OF STARS in amusement history!...

DINNER at 8

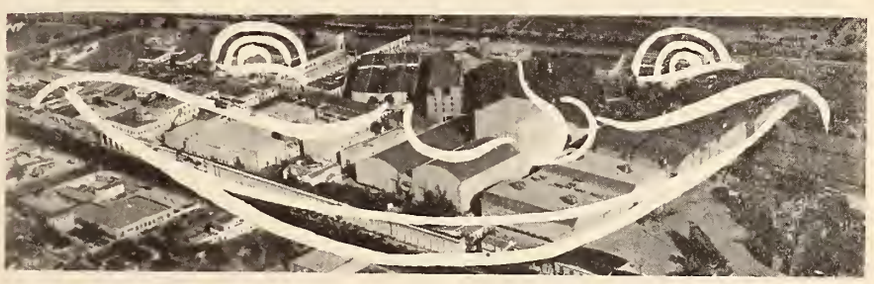


Metro-Goldwyn-Mayer's Mightiest Entertainment

The biggest film sensation in 10 years! Never such a drama packed with thrills! The miracle picture of the screen!

From the Sam H. Harris stage play by GEORGE S. KAUFMAN and EDNA FERBER.

The trade paper headlines tell the story of "Dinner at 8" at popular prices, From Maine to California it is crashing through to new records!



M-G-M is the studio with a smile because week-after-week they are turning out HITS!



Typical of Yours truly

Metro-Goldwyn-Mayer

HAVE YOU ENTERED THE "FUGITIVE LOVERS" $200 PRIZE CONTEST!

Code Assents Total 2,500 In Two Days

(*Continued from page* 1)

sign the compliances, it is giving the men in doubt every opportunity to clear the misunderstanding on reservations by Jan. 31.

Newcomers in the industry will be given 45 days after entering the business to assent. This means that an exhibitor, producer or distributor making his debut after Jan. 31 has a month and a half to affix his signature, without reservations, to the compliance draft. The various boards to be set up under the code will keep check on the newcomers.

Inasmuch as no exhibitor unit, as an organization, can file protests with grievance boards to be set up in the 32 key cities, no assent is required. It is pointed out that the assent is an individual matter and not an organization affair, and only exhibitors, distributors and producers signing the code 100 per cent can make complaints.

With only a half dozen suggestions for nominations on the clearance and zoning and grievance boards received at authority headquarters yesterday, the names are being withheld until today when additional recommendations are expected. Incidentally, few exchange men are being suggested for the various boards. About 10 branch managers are only listed in the 307 names already on file. The authority is urging that recommendations should be made before the Jan. 20 deadline. Those who sign assents after that date will be considered for the 64 zone posts.

Headquarters Definitely Set

At a meeting of Code Authority last night, it was decided headquarters will be established on the 23rd floor in the RKO Bldg. The Administrator, it was said, has signed an order extending indefinitely the date for setting up the various clearance and zoning and grievance boards, originally set for Jan. 1.

Definite means of financing the Authority were deferred until a survey on costs was made. Charles L. O'Reilly, Nathan Yamins, Harold S. Bareford and J. Robert Rubin were appointed as a committee to prepare a manual for rules and regulations of the 64 boards. The meeting was adjourned at 11:40 until Jan. 23, when R. H. Cochrane will preside. Eddie Cantor arrived as the meeting broke up. M. H. Aylesworth walked out at 10:30.

Poster Code Meets Warm Denunciation

(*Continued from page* 1)

the trade. Assistant Deputy Administrator John W. Power withheld permission.

Charging the group sponsoring the poster code was not representative of the industry, Edward C. Raftery and Gabriel L. Hess, told Power the producers would more properly come under the terms of the definition of the code than the proponents themselves.

Declaring the poster exchanges get their supply from exhibitors, who allegedly consequently violate their agreement with the producers, Hess told Power they then re-rent the material to other exhibitors. The practice, he said, has cut the available market by 40 to 45 per cent to the detriment of both distributors and lithographers, and inferred that such a practice was illegitimate, although he said little could be done about it.

This practice has deprived labor of $1,000,000 and 500,000 work hours, it was asserted by Nathan Vidaver, counsel for the National Amusement Lithographers Ass'n., who added a large amount of unemployed labor can be put back to work if the practice is eliminated.

Defending the position of the members of his organization, Aarons referred to what he termed an "optional clause" in contracts between distributors and exhibitors and declared this made it legitimate for the exhibitor to turn advertising material, which would otherwise be destroyed, over to the exchange trade.

As a result of the controversy, Power threw the code into the discard and met with representatives of the two factions in an effort to develop an accepable agreement. It was proposed by the poster representatives that the producers draft a code of their own, but this was overruled by Recovery Administration officials.

Still Shorter Week Is Seen By Johnson

(*Continued from page* 1)

sion at the meeting here next month of 200 code authorities.

Pointing out that some concerns find themselves required to operate under as many as eight or 10 codes, Johnson described this situation as "impossible" and declared that, with practically all industries now codified, the time has come to eliminate differences in the basic provisions of the various agreements.

Statistical studies of all industry, he said, have shown that the 40-hour week will not absorb all the unemployed and that a further reduction, probably to 32 hours, will have to be made.

Sirovich Comes To Independents' Aid

(*Continued from page* 1)

for Allied declared it is necessary for some steps to be taken by Congress to assure justice to independents and urged pushing of the Sirovich investigation.

Discussing communications which have reached him since the beginning of the session, the congressman said the independents were going to petition all the members of Congress and might "stage a march on Washington if their demands are not met."

Start Work on Ad Code

A meeting of the standards committee of the Federation of the M. P. Industry will be held tomorrow at the Monogram offices to begin drafting production and advertising codes of ethics for independent producers and distributors.

Major circuit and publicity heads met yesterday at the Hays office on advertising and will meet again today.

Allied Unit Mystified By Myers' Advice

(*Continued from page* 1)

we will do so now if we are correctly advised."

Aaron Saperstein, head of Illinois Allied, found himself "on the spot" when he was unable to meet demands that he speak for the national organization in advising a course of action. He was also unable to say whether non-signers of the code would lose their Blue Eagle.

Myers' analysis of procedure was interpreted by Andrew Cuser, of the Queens, as an invitation not to sign, but this interpretation was stoutly challenged by Saperstein.

Coast Sound Men in Move to Join A. S. C.

HOLLYWOOD, Jan. 10.—In the midst of a two-day balloting contest to determine who shall represent them in collective bargaining, studio sound men met last night at the Bell & Howell auditorium and declared they represented some 200 sound men who were "tired of unions" and wanted affiliation with the American Cinematographers' Ass'n.

Since the National Labor Board refuses to interfere in the local jurisdictional battle, it appears that most of the local sound men may get together and affiliate with the American Cinematographers.

Chicago Musicians Vary Stagger Plan

(*Continued from page* 1)

musicians' unions, headed by James Petrillo.

Instead of following the plan in vogue in New York, where unemployed musicians are given two days work the first three weeks of the month and one day the fourth week, the Chicago local is providing similar income in the form of one full week's work each month.

Boston Travelers Return

Abe Montague, Abram F. Myers, W. Ray Johnston, Joe McConville and Sidney Samuelson returned last night from Boston, where they attended a banquet tendered to Nathan Yamins at the Copley-Plaza on Tuesday. Yamins also was on the train and attended the Code Authority meeting last night. Myers will remain in New York for the rest of the week.

M.P.T.O.A. Finances Up

M.P.T.O.A. finances and annual convention plans were discussed yesterday at a meeting of officers of the organization with Ed Kuykendall, president, at the Park Central. Kuykendall stated no action was taken.

Dicker on St. Louis Deal

ST. LOUIS, Jan. 10.—Receivers for the Fox here are in New York conferring with Fanchon and Marco officials on a deal to turn over the theatre to the circuit, which now operates the St. Louis.

Dubinsky to Seek Test of NRA Power

(*Continued from page* 1)

owners. The union charges that Dubinsky is defying the NRA, and the I. A. T. S. E. is demanding action in Washington.

Referring to the recent futile attempts of the Regional Labor Board in St. Louis to arbitrate the St. Joseph controversy, Dubinsky said: "We found the regional board has no teeth. Washington is getting our story now."

The controversy involves operators, stagehands and musicians.

New Theatre Union Scales Now in Work

(*Continued from page* 1)

brought about a stampede of ushers, doormen and janitors to the union's membership."

The wage scale committees now engaged in drafting new schedules to be used as a basis for collective bargaining with exhibitors are composed of one usher, one doorman and one janitor from each theatre having employes in the union. The committees were named at a mass meeting of 1,500 members of the organization in Bryant Hall, Tuesday night, and will disclose the new wage schedules at a meeting of the committee of the whole within the near future.

An initiation fee of $2 and dues of $1.50 per month have been set by the local. Queried on whether the local had I.A.T.S.E. backing, Levey said that it did not but that it expected the "cooperation of all labor organizations affiliated with the A. F. of L," was assured it under its charter.

Union Wins Kansas NRA Labor Dispute

(*Continued from page* 1)

maximum hours as of Aug. 23, 1933, and made it stick.

The differences involved the Burford and Strand, Fox Midwest houses here, and members of Operators' Local 641. Under contracts which expired Aug. 30, seven days after the effective date of the overriding provision, operators worked 56 hours weekly. The prevailing wage was $4[illegible] a week. Booths were manned by one operator to a shift.

In negotiating new contracts, the union insisted on the code maximum of 40 hours and the same scale paid for 56 hours. This would necessitate hiring an additional operator for the remaining 16 hours, and the theatres objected. Arbitration finally was agreed upon.

No Union Meet Today

No meeting is due today between the ITOA and Local 306 to negotiate a basic wage scale for local exhibitors, William Small, executive director of the exhibitor organization, stated following yesterday's meeting of the unit. He said the weekly session was routine.

"Dinner" Hits $17,500, Big In Pittsburgh

PITTSBURGH, Jan. 10.—With all houses running New Year's eve shows and running well over capacity everywhere, business last week was up almost 50 per cent above average, sending 1934 off to a flying start.

"Dinner at Eight" did $17,500 at the Penn. Last October it played twice daily at the Nixon for three weeks at $1.65 top, the longest road show run for a picture here since "All Quiet on the Western Front." At the Stanley, "Design for Living" attracted a lot of class trade as a result of the Noel Coward name and did very well at $13,750.

Although "Hoopla" at the Fulton played only five days and "Girl Without a Room" four days, both houses did more than the average six-day business, the Fulton gathering around $6,200 and the Davis about $2,600. The Warner had "Convention City" and profited additionally by the presence in the cast of Dick Powell, who is quite a local favorite, doing $8,000, while the Pitt, with "Rainbow Over Broadway" and vaudeville, was also considerably up at $5,650.

Total grosses in six first runs were $53,700. Average is $37,000.

Estimated takings for the week ending Jan. 6:

"GIRL WITHOUT A ROOM" (Para.)
DAVIS—(1,700), 25c-35c, 4 days. **Gross:** $2,600. (Average, for 6 days, $2,500)

"HOOPLA" (Fox)
FULTON—(1,750), 15c-35c, 5 days. **Gross:** $6,200. (Average, for 6 days, $4,000)

"DINNER AT EIGHT" (M-G-M)
PENN—(3,300), 25c-50c, 6 days. **Gross:** $17,500. (Average, $12,000)

"RAINBOW OVER BROADWAY" (Chesterfield)
PITT—(1,600), 15c-40c, 6 days. Stage: Harts Farm Fables, Delivery Boys, Texas Rangers, Bernard and Kaye, Jack and Betty Willing revue, Fred Lightner and Roscella and Robert J. Pauline. **Gross:** $5,650. (Average, $4,500)

"DESIGN FOR LIVING" (Para.)
STANLEY—(3,600), 25c-50c, 6 days. **Gross:** $13,750. (Average, $9,000)

"CONVENTION CITY" (Warners)
WARNER—(2,000), 25c-50c, 6 days. **Gross:** $8,000. (Average, $5,000)

"Dinner" St. Louis Hit

ST. LOUIS, Jan. 10.—After cracking all box-office records at Loew's State during the past three years, "Dinner At Eight" has entered a second week. The holdover postponed "Roman Scandals," originally set for the week of Jan. 5.

Loretta Young's Next

HOLLYWOOD, Jan. 10. — Loretta Young will appear opposite Ronald Colman in "Bulldog Drummond Strikes Back," and later in "The Firebrand," co-starring Constance Bennett and Fredric March. Release of both films will be through United Artists.

Karty Gets St. Louis Job

ST. LOUIS, Jan. 10.—Julius L. Karty, manager of the Shubert-Rialto, has been appointed assistant manager of the new Municipal Auditorium under James E. Darst. The appointment has been approved by Mayor Bernard F. Dickmann.

Looking 'Em Over

"Cross Country Cruise"
(Universal)

Eddie Buzzell, director of this bus story, has shrewdly combined travel lure, romantic interest, touches of comedy, and a smashing action finish in spite of the fact that most of the story developments take place within the narrow confines of a bus.

The scenery is worked into the stopovers and includes New York shots, Niagara Falls, prairies, Salt Lake City, mountains, desert and what seems to be a New Mexican village.

Lew Ayres pursues June Knight into a bus terminal after she has spilled a suitcase full of feminine wearables from the top of a Fifth Avenue bus into his car. He is already on his way to a northwestern lumber camp practically in charge of Arthur Vinton, his father's agent, who is intent upon reforming him. Also on the bus are Alan Dinehart and his wife, Minna Gombell. Dinehart is also pursuing Miss Knight and trying to find some way of getting rid of his wife. He finds it in a Denver department store when he shoots her with an arrow in a sporting goods department.

Officers of the law catch up with the bus by plane in Nevada, and the big scene comes when Dinehart seizes the bus at the point of a gun. The plane lands in the road ahead of it, and in the smashup which follows the bus tips off into a lake.

Eugene Pallette, a talkative guy who describes the scenery, and Robert McWade, a grouch, supply most of the comedy.

It is a well knit, smoothly running story, with both young and old appeal, and ought to have some fine exploitation possibilities with Greyhound bus lines.

"The Fighting Code"
(Columbia)

"The Fighting Code" will please western fans to a "t." Buck Jones puts this one over with a bang. He is commissioned to find the long lost son of a ranchman. When he turns up at the ranch after the ranchman's death, the daughter believes he is her brother. Rather than break her heart by disillusioning her, he keeps up the pretense until just before the end. The people of the community believe the ranchman has fleeced them of their money. Jones sets to clear the dead man's name by rounding up a gang that he believes killed the girl's father in order to steal the money which the people had intrusted to him. There is a fight that is a corker and plenty of action.

Diane Sinclair is fine as the girl. Others in the cast are Alf James, Erville Alderson, Niles Welch, Ward Bond and Louis Natheaux. Direction is by Lambert Hillyer.

"Man of Two Worlds," this morning's opener at Radio City Music Hall, was reviewed by wire from Hollywood on Dec. 27.

"Sons of the Desert," last night's preview at the Rialto, was reviewed by wire from Hollywood on Dec. 12.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Long Lost Father"
(Radio)

HOLLYWOOD, Jan. 10.—G. B. Stern's novel has been translated to the screen as a fairly entertaining melodrama. It lacks a definite punch to put it into the outstanding class, notwithstanding that John Barrymore, Helen Chandler and Donald Cook are in the top roles. Also in the cast are Alan Mowbray, Claude King, Ferdinand Gottschalk, Natalie Moorehead, Doris Lloyd, Phyliss Barry and Charles Irwin. Ernest Schoedsack directed.

After deserting his daughter at childhood, Barrymore meets her again when he is called to witness the reading of his sister's will. He is a host in a ritzy restaurant and she has made a name for herself behind the footlights. Miss Chandler has no use for her dad because of his past and his attempts to make up are ignored.

Later Miss Chandler is hired by Mowbray, owner of the eatery, as entertainer and, during her employment, continues to eschew her pater. She is content with her lover, Cook, but as time goes on, Miss Chandler goes ritzy too. At a treasure hunt party the heroine is accused of steal-

(Continued on page 8)

"Women" Big Philadelphia Hit, $30,000

PHILADELPHIA, Jan. 10.—Tremendous New Year's eve and New Year's day business shoved all grosses up.

Outstanding was "Little Women," which grabbed $30,000 on the week at the Boyd. Right behind was "I Am Suzanne" at the Fox, which took $28,500, enough to hold it over for a second week. With this second week, the Fox drops its box-office scale from a 75 cents top to 65 cents.

"Girl Without a Room" and Ted Lewis brought $26,000 to the Earle, and "Dancing Lady" gave the Stanley its best week in a long time with $22,000. "Lady Killer" went above the Stanton's average and "Duck Soup" was good for top notch second run business at the Arcadia.

Total receipts were $146,500. Average is $79,500.

Estimated takings for the week ending Jan. 4:

"ROMAN SCANDALS" (U. A.)
ALDINE—(1,300), 40c-55c-65c, 6 days, 2nd week. **Gross:** $14,500. (Average, $7,000)

"DUCK SOUP" (Para.) (2nd Run)
ARCADIA—(600), 25c-40c-50c, 7 days. **Gross:** $6,500. (Average, 6 days, $2,400)

"LITTLE WOMEN" (Radio)
BOYD—(2,400), 40c-55c-65c, 6 days. **Gross:** $30,000. (Average, $12,000)

"THE GIRL WITHOUT A ROOM" (Earle)
EARLE—(2,000), 40c-55c-65c, 6 days. Stage: Ted Lewis and his Revue. **Gross:** $26,000. (Average, $12,000)

"I AM SUZANNE" (Fox)
FOX—(3,000), 35c-55c-75c, 6 days. Stage: Ritz Brothers, Jeanie Lang, Walter Dah Wahl, Rhythm Rascals. **Gross:** $28,500. (Average, $16,000)

"SHOULD LADIES BEHAVE" (M-G-M)
KARLTON—(1,000), 30c-40c-50c, 6 days. **Gross:** $3,500. (Average, $3,500)

"AS HUSBANDS GO" (Fox) (2nd Run)
KEITH'S—(2,000). 25c-35c-40c, 6 days. Vaudeville. **Gross:** $7,000. (Average, $7,000)

"DANCING LADY" (M-G-M)
STANLEY—(3,700), 40c-55c-65c, 6 days. **Gross:** $22,000. (Average, $12,000)

"LADY KILLER" (Warners)
STANTON—(1,700), 30c-40c-55c, 6 days. **Gross:** $8,500. (Average, $7,000)

Sally Eilers Rejoins Fox

HOLLYWOOD, Jan. 10.—Sally Eilers returns to Fox for the leading feminine role in "Three On A Honeymoon," following a long absence from the studio due to disagreements over stories.

The actress goes into "Manhattan Love Song," following completion of the former vehicle.

Radio Signs Billie Burke

HOLLYWOOD, Jan. 10.—Negotiations have been completed for Billie Burke to do one of the featured roles in Radio's "Finishing School." Ginger Rogers and Frances Dee have already been assigned to the cast. Wanda Tuchoch and George Nichols will co-direct as their first assignment under new directorial contracts.

M-G-M Buys Dunne Tale

HOLLYWOOD, Jan. 10.—M-G-M has purchased Philip Dunne's original, "West Point of the Air," for early production. Monta Bell will produce. No director or cast has yet been set.

Virginia Awaits Open Sunday Bill

(*Continued from page 1*)

at the Byrd on Sunday. They were exonerated in Police Court.

Some changes in censorship regulations designed to facilitate collection of fees by the board are predicted. Governor Pollard has recommended an appropriation of $39,845, a decrease of $2,560.

Some talk has been heard about an admission tax bill.

Accounting Denied Upon Fox Brooklyn

Supreme Court Justice Paul Bonynge in Brooklyn yesterday denied the application of Jennie Wyand for an order compelling the Continental Bank and Trust Co. to account for moneys taken in connection with the management of the Fox Theatre Building.

The petitioner is a bondholder under a mortgage of $6,000,000 executed Sept. 1, 1926, on the building which is occupied by the Fox Theatre and offices and stores. A mortgage of $5,650,000 is still on the building. The petitioner claims that the bank has no right to carry on a theatre business She charges that she and other bondholders are entitled to an accounting. Among other things she claims that there is $918,125 in unpaid interest on the mortgage. She alleges that the Fox Theatres Corp. executed a 32-year lease in Sept., 1926, amounting to $17,700,000 and quit the theatre Jan. 1, 1932. She claims that no action has been taken to recover this from the Fox organization.

Fox Gives Up Prints On "Crooked Circle"

Surrender by Fox of all prints, contracts and advertising accessories on "The Crooked Circle," produced by William Sistrom for World Wide release last year, was agreed to in connection with the settlement of an interpretation of Sistrom's contract, Fitelson & Mayers, attorneys for Sistrom, disclosed yesterday. Sistrom will seek new distribution for his comedy-drama, which features Ben Lyon, ZaSu Pitts and James Gleason.

Fox Starts Fourth New Unit at Studio

HOLLYWOOD, Jan. 10.—Fox has started construction on the fourth building on the Movietone City expansion program. The new building is a sound stage and when equipped will represent an investment of more than $200,000.

Construction of the three other buildings started a month ago.

Fox Judgment Upheld

NEW ORLEANS, Jan. 10.—Judgment for $3,372.62 awarded the Fox Film Corp. against John T. Jones of Fort Worth, Tex., by the U. S. District Court for the northern district of Texas has been upheld here by the Circuit Court of Appeals. This was for an alleged balance due on a contract.

Pushing Lew Ayres Film

HOLLYWOOD, Jan. 10.—Fox is hurrying preparations on "Fledgling's Romance" as a Lew Ayres vehicle.

Testimony Completed on $18,000,000 RKO Claims

She's Off Midgets

Hollywood, Jan. 10.—It happened in "The Meanest Gal in Town." Zasu Pitts, finding the show to which she has received a pass, closed, asks the cashier what show to see. Says the money-taker: "Why not see 'Little Women.'" Answers Miss Pitts: "I never did like midgets."

Cleveland Party Feb. 12

CLEVELAND, Jan. 10.—The annual film party, proceeds of which are used for relief of members of the industry, will be held Feb. 12. The place is to be announced later. The party is given under the auspices of the Cleveland Film Board of Trade. Arrangements are being made by a committee consisting of I. J. Schmertz, Fox; Holbrook Bissell, Columbia, and John Himmelein, Paramount.

Drew Again Heads Board

CLEVELAND, Jan. 10.—Frank Drew, M-G-M branch manager has been elected president of the Film Board of Trade for the ninth consecutive term. Also re-elected were I. J. Schmertz, Fox branch manager, vice-president, and Holbrook C. Bissell, Columbia branch manager, treasurer Mrs. Georgia Moffett is secretary.

(*Continued from page 1*)

rent on the two Radio City theatres and office space in the RKO building, and on breach of an agreement to pay the cost of the two theatres in the event of rent default. A report on the claims will be made later by the special master to the U. S. District Court here.

Taking of testimony on other contested claims against RKO, which aggregate approximately $20,000,000, is now under way.

Pick Appraisers on Radio City Leases

U. S. District Judge Bondy yesterday appointed Edward J. Crawford, vice-president of Charles F. Noyes, Inc., and Robert Huntley, in charge of appraisals for Joseph P. Day, Inc., to make appraisals of the leases held by RKO on the Music Hall and RKO Center theatres.

Rockefeller Center, Inc., is seeking court approval of a claim of $10,000,000 against RKO for alleged breach of lease on the two theatres and also a claim of $5,000,000 for alleged breach of lease on the RKO Building.

Judge Thomas D. Thacher has been named special master to hear testimony on the claims, but no hearings have been held as yet.

Appraisers retained by Rockefeller Center, Inc., are Russell V. Cruikshank, real estate man, and Louis B. Altruter of Morris S. Ely & Co.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

(*Continued from page 7*)

ing money from Mowbray. Barrymore comes to the rescue by winning a bet from Mowbray in a phoney race track bet.

With his daughter promising she will quit the show business and settle down with her lover, Barrymore sails for parts unknown to elude the police, who are after him for other phoney horse-racing bets in Australia.

"Search for Beauty"

(Paramount)

HOLLYWOOD, Jan. 10.—Good entertaining program show, with real exploitation values based on the beauty ballyhoo to youth, and it should give a good account of itself box-officewise.

Uncovering the gyp behind the health and exercise magazines which really retail merchandise, three racketeers, Jimmie Gleason, Robert Armstrong and Gertrude Michaels, inveigle two Olympic champions, Buster Crabbe and Ida Lupino, to become their flash front as editors of a periodical.

Due to the lurid policy of the publication, the Olympic athletes resign, receiving a health farm in the deal where they plan to house the winners of an international beauty contest. The racketeers, seeing the health farm succeed, plot to get it back, with the usual results.

The story is heavily coated with humor and laughter. The international athletic number, with music by the American and British beauties, combines physical revelation with marching and calisthenics and has a stirring quality.

Buster Crabbe is attractive in the lead. Miss Lupino, from England, with a stage heritage of four generations, has a distinct charm and beauty. Gleason, Armstrong and Michaels as menaces add the gayety. Direction and dialogue are nicely handled. It is possible that "Search for Beauty" may deliver the dollar line better than a program film, if elbow grease is placed on the exploitation curves.

Jack Miller Cited For Court Contempt

(*Continued from page 1*)

a contempt citation against Jack Miller by Special Assistant Attorney General Leslie Salter before Federal Judge Barnes.

Miller is charged with "contumacious conduct" while appearing as a witness. On motion of Miller's attorney, Elwood Godman, the Grand Jury's evidence supporting Salter's charge was impounded by the court with a hearing set for Jan. 16.

Miller is reported to have made ambiguous statements to the Grand Jury regarding payment reported as $85,000 to an alleged go-between for Maloy. The payments, it is alleged, were in connection with the elimination from theatres of fader men on sound equipment. The government is attempting to prove that this money went to Maloy, but was not reported in his income statement. Miller is reported to have testified that he could not remember the name of the person receiving the payment.

Ontario Expects No New Government Tax

(*Continued from page 1*)

crease in the amusement tax is contemplated.

The government closed the year with a surplus of $476,000, and this fact, together with the elections scheduled for June, makes it look as though Parliament will deal leniently with the industry, as public support is needed.

It is expected that legislation will provide concessions in regulation governing operators so that only one will be required.

N. O. Opening Saturday

NEW ORLEANS, Jan. 10.—Saturday openings are back again, Loew's State being the latest to join the parade. The State, Saenger, St. Charles, Globe and Tudor are opening Saturdays. The Orpheum still retains Thursday.

Zukor Off for Coast

Adolph Zukor left on his seasonal trip to the coast yesterday. While in Hollywood he will discuss Paramount spring production schedule with Emanuel Cohen. He will be away two weeks.



The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 35. NO. 10 NEW YORK, FRIDAY, JANUARY 12, 1934 TEN CENTS

Third List of 303 Nominees Is Announced

Some on Previous Groups From Code Authority

With 28 of the 32 key cities represented, the Code Authority today lists 103 additional names in the third list of suggestions for appointments on the clearance and zoning and grievance boards. Many of the names submitted have previously been registered by Executive Secretary John C. Flinn, but since they have been sent in from different sources in the territories represented, official listing must be made for the record.

However, the number of times an exhibitor or distributor has been recommended will carry no weight with the committee of six making nominations for approval of the Authority. Each man named will have to stand on his own record and every member, before being nominated, will

(Continued on page 7)

NRA Names Labor, Extra Committees

WASHINGTON, Jan. 11.—Appointment of two Code Authority committees, on studio labor, exclusive of extras, and on extras, was announced today by Division Administrator Sol A. Rosenblatt.

The studio labor committee will consist of Pat Casey, producer labor representative; Al Berres, international unions; Ed Smith, musicians'

(Continued on page 6)

ATSE Wins Studio Jurisdiction Vote

HOLLYWOOD, Jan. 11.—Voting by roundmen to determine whether they wanted to be under the jurisdiction of the I. A. T. S. E., the I. B. E. W. or the A. S. C. has resulted as follows:

I. A. T. S. E., 448; A. S. C., 93; B. E. W., nine.

It had been hoped that the voting would settle the matter, but the fight

(Continued on page 6)

Criticisms of Code "Silly"—Rosenblatt

Refusing to comment on criticism made against him by James H. Hodgson, regional NRA compliance board

(Continued on page 6)

Board to Run Music Hall For Present—Aylesworth

Operation of the Music Hall will be in the hands of an advisory board for the present, according to Merlin H. Aylesworth, and no successor to S. L. Rothafel is likely to be named for the time being.

The board consists of L. Christie, Webster Todd and James Brown, representatives for Rockefeller Center, Inc., and Aylesworth, J. R. McDonough and Major Leslie E. Thompson for RKO.

Aylesworth stated that Thompson will have direct supervision of the house and Leon Leonidoff will be in general charge under him. The present policy will be continued, according to current plans.

Reports that negotiations were under way with Max Reinhardt were denied.

Price of Fame

Asked if Max Reinhardt would succeed S. L. (Roxy) Rothafel at the Music Hall, Merlin H. Aylesworth retorted:

"Who is he?"

Asserts Code Delays Chafe ITO on Coast

Code Authority delay in naming clearance and zoning boards is "demoralizing" exhibition and distribution activities in Southern California, resulting in admission slashes which may not be remedied even though they cost some theatres their Blue Eagles, Ben Berinstein, head of the I. T. O. of Southern California, who is here on a visit, said yesterday.

Berinstein reported that Southern California exhibitors have been chaf-

(Continued on page 7)

Committee to Help Run Para's Houses

A national advisory committee to aid in the decentralized operation of Paramount theatres with the company's partners is to be set up, according to Ralph Kohn. According to present plans it will have six members, each representing one of the

(Continued on page 2)

Reliance May Make Two Pictures Here

Tentative plans have been made for the production of two of Reliance's next four United Artists releases at the Biograph studio here, it was learned yesterday. The first will be "Frankie and Johnnie," which goes into production soon under the di-

(Continued on page 2)

32-Hour Week For Industry Held Certain

A 32-hour week for the film industry appears certain to figure in NRA developments within the next 30 days, industry observers here believe. The opinions are based on General Hugh S. Johnson's recent declaration that the 40-hour week has not absorbed a satisfactory number of the unemployed and must eventually undergo a further reduction.

Film men yesterday cited a number of instances wherein the industry un-

(Continued on page 7)

Dispose of Publix Nebraska's Assets

OMAHA, Jan. 11.—Sale of assets of the bankrupt Publix Nebraska, Inc., for $14,000 to Tristate Theatres Co., of which A. H. Blank is president, has been made known by Paul P. Massey, attorney for J. W. Denman, trustee.

Included in the property are the

(Continued on page 2)

MPTOA Decides on Hollywood Meeting

This year's convention of M. P. T. O. A. will be held in Hollywood about March 10, officers of the organization decided yesterday. While the date is still tentative, Hollywood stands as the official choice for the place.

Steps Taken For New Unit Of Exhibitors

Schwartz, Springer and Cocalis in Move

Formation of a new independent exhibitor unit in the metropolitan area got under way yesterday at an allegedly secret meeting between a number of circuit heads at the Bretton Hall Hotel. The new organization, it is said, will find among its chief supporters A. H. Schwartz and Jack Springer and Sam Cocalis, who attended the session. Within the last week the Schwartz and Spring and Cocalis circuits have been suspended from the I.T.O.A. for non-payment of dues.

If, and when, the new exhibitor association comes into being, it will be the third in the local territory. In addition to the I.T.O.A., of which Harry Brandt is president, there is the T.O.C.C., with Charles L. O'Reilly at the head. O'Reilly's unit is the oldest and included in its membership are major circuits as well as independents.

New York City is the only territory in the country which will have three exhibitor units if current plans materialize.

Operator Dispute In Chicago Settled

WASHINGTON, Jan. 11.—Settlement of the controversy between operators and exhibitors in Chicago was announced today by the NRA.

Pointing out the code calls for arbitration of labor disputes and

(Continued on page 6)

No Further Policy Shifts, Says Loew

Shift in the policy of Loew's New York from a daily booking schedule to three changes a week with double features will not have any bearing on any other house in the circuit, David Loew said yesterday. He added that

(Continued on page 2)

List 195 Houses in Portland Territory

PORTLAND, Jan. 11.—Statistics compiled by the Film Board of Trade here show there are 195 theatres with a seating capacity of 104,586, both

(Continued on page 2)

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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Look for No Deal on Roxy Within 10 Days

No deal for reorganization of the Roxy will be culminated for the next 10 days, Louis H. Pounds, chairman of the first mortgage bondholders' committee, stated yesterday. Several plans have been under consideration and no action is expected for another week. When that is done, the Federal Court must approve the deal.

On Dec. 12, Carlos Israels, attorney for the first mortgage bondholders, told the court that four reorganization plans were in his hands and that he expected to consummate one of them in about a month.

However, it will take at least six months before financial entanglements in any reorganization deal are ironed out, it was stated from another authoritative source.

Steffes-Cole Visit Kansas City Mystery

KANSAS CITY, Jan. 11.—Much mystery surrounds the short visit here the other day of Al Steffes, president of Northwest Allied States, and H. A. Cole of Dallas, president of Allied of Texas.

It is reported they were interested in available local houses. In view of the fact that Steffes, Minneapolis operator, some time ago launched an expansion program, this may have some significance.

Neither of the two called on Jay Means, president of the I. T. O. and close to Allied, or other organization leaders.

Dispose of Publix Nebraska's Assets

(*Continued from page* 1)

Capital, Grand Island, Neb., and fixtures of the World and State theatres here.

Repudiation of the leases of the World and State, held by the World Realty Co., has been filed here as a matter of form. Blank is already operating the houses on a new rental agreement.

OMAHA, Jan. 11.—A majority of creditors of A. H. Blank Theatre Co. of Nebraska have filed written acceptance of the bankrupt company's offer to pay a total of $1,038,000 in claims at the rate of 20 cents on the dollar. It is expected that the company, which formerly operated the Paramount here, will be out of bankruptcy within a month.

Committee to Help Run Para's Houses

(*Continued from page* 1)

territories in the United States and one for Canada.

E. V. Richards of New Orleans has been named as representative for the southeast. The other representatives to be named will be for the southwest, the Chicago territory, the section west of Chicago and Canada. It is expected that the southwestern representative will be named at Dallas on Jan. 19.

Columbia to Change Trio of Its Titles

HOLLYWOOD, Jan. 11.—Three title changes are coming up at Columbia. The studio is looking for a new tag for the Frank Borzage picture, "Men of Tomorrow," having discovered that there is a European picture of that title.

Colleen Moore's "Sisters Under the Skin" will be changed to "Men Need Women," with the former title being retained for another picture.

Columbia is also looking for a new title for the Grace Moore picture, "Don't Fall in Love," because of its resemblance to the title of the recently completed musical, "Let's Fall in Love."

Public's Reactions Unstable—Laemmle

HOLLYWOOD, Jan. 11.—Public reactions to films are more uncertain at present than they ever were prior to the depression, declares Carl Laemmle. In the old days it was possible to feel the public pulse, he says, but at present audiences are more discriminating.

Pictures succeed in spots, he declares. Local politics, censorship and prejudice are factors.

Present day films, he says, are better than they have been at any time during the past 25 years. Discussing trends, he makes the assertion that novelty films should be a success during the coming year, and "honest realism and frankness will mark new pictures."

"There will never be a place for vulgarity," Laemmle insists. "No censorship can possibly be as severe as that practiced in the studios today. We have more 'don'ts' in our code of ethics than any three other industries."

Allied Owners Case Taken Off Calendar

Referee in Bankruptcy Theodore Stitt, in Brooklyn yesterday ordered removed from the calendar the motions to remove William M. Greve, president of New York Investors, Inc., as one of the three trustees in the case of the Allied Owners' Corp., bankrupt subsidiary of New York Investors.

Greve and 11 other officers and directors of New York Investors and its affiliates are under indictment in connection with the affairs of the affiliated companies. Argument on the motion for removal of Greve, which was made by Archibald Palmer, representing bondholders, was to have been held today. Robert P. Levis, attorney for Allied Owners Corp., however, told the referee that the reorganization plan was nearly complete and was to be submitted to the court shortly.

Greenblatt in New Office

Arthur Greenblatt, Inc., has just opened an exchange in the Film Center Building.

Loew's Pfd. in ¾-Point Advance

	High	Low	Close	Net Change	Sales
Consolidated Film Industries	3¾	3½	3½	.....	700
Consolidated Film Industries, pfd	13⅜	12¾	13¼	+ ⅜	2,200
Eastman Kodak	81¾	80¾	81	— ¼	900
Fox Film "A"	12¾	12½	12½	.....	700
Loew's, Inc.	27⅛	26¾	27	.....	3,800
Loew's, Inc., pfd	74⅛	74	74⅛	+ ¾	200
M-G-M, pfd.	21½	21½	21½	+ ½	100
Paramount, cts	2⅛	2	2	.....	6,300
Pathe Exchange	1½	1½	1½	.....	300
Pathe Exchange "A"	11½	11	11	— ¼	500
RKO	2½	2⅜	2½	+ ¼	500
Warner Bros.	5⅛	5	5⅛	.....	2,700

Technicolor Sole Opener on Curb

	High	Low	Close	Net Change	Sales
Technicolor	8¼	8⅛	8⅛	.....	200

Paramount Publix Rises 1½

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	4⅛	4	4⅛	+ ⅛	2
General Theatre Equipment 6s '40, ctf	4⅛	4⅛	4⅛	+ ⅛	2
Loew's 6s '41, ww deb rights	87⅞	87½	87⅞	+ ½	2
Paramount Broadway 5½s '51	31½	30½	31½	+1	3
Paramount F. L. 6s '47	30¼	30¼	30¼	+ ¼	5
Paramount Publix 5½s '50	31	30	31	+1½	3
Warner Bros. 6s '39, wd	42½	42½	42½	+ ½	15

Purely Personal

HARRY HERSHFIELD, creato of "Abie Kabibble," has a new series in the offing called "According to Hoyle." The cartoon strip will firs appear in the *Sunday Herald-Tribun* and daily later.

FREDRIC MARCH and his wife FLORENCE ELDRIDGE, with their adopte daughter, will arrive in New Yor next Monday on the *Virginia.* Par of their vacation will be spent her and the remainder at Madison, Wis

CARL BRISSON, Danish musical com edy star, fresh from the English stage was partied by Paramount at the Wal dorf-Astoria yesterday, prior to hi departure tomorrow for Hollywoo where he will be cast in an early pro duction.

ED KUYKENDALL left last night fo his home at Columbus, Miss., plannin to return about Jan. 21 for the ne meeting of the Code Authority.

LEON SCHLESINGER is in New Yor at the Astor. He will stay a week b fore returning to the coast.

SAUL E. ROGERS nursed a cold home yesterday.

List 195 Houses in Portland Territory

(*Continued from page* 1)

open and closed, in the territor served by this board. This area cover Oregon and Washington, parts northern California and Idaho.

Of these, 26 are circuit house Seven are affiliated and 19 unaffiliate The remainder—169 houses with seating capacity of 78,426—are i dependents. Oregon has the large number, 140, with a capacity of 68 646.

Twenty sound houses and eigh silent are closed in the territory.

Reliance May Make Two Pictures Here

(*Continued from page* 1)

rection of Chester Erskine. The sec ond has not been selected yet. Th deal has been under discussion be tween Harry Goetz, head of Reliance and Ben Stoloff, who made "Joe Pa looka" for the company.

Stoloff will be on his way back t the coast the early part of next wee but will make another trip to Ne York in the near future to definitel close the deal.

No Further Policy Shifts, Says Loew

(*Continued from page* 1)

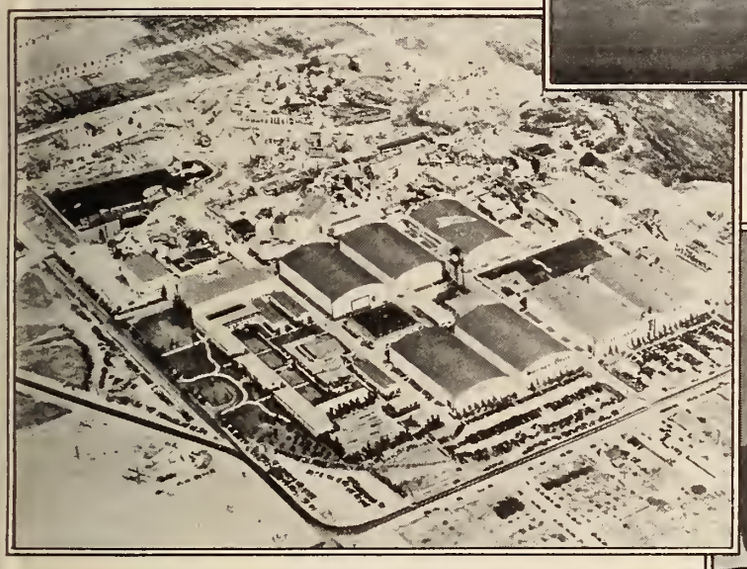
every house operates on a differe plan and changes according to cond tions.

He said the reason the policy shi was made at the Times Square hous was that there were too many hous with double features in the New Yor neighborhood. This forced the mov In addition, the price from 8 A. M to 1 P. M. is now 15 cents. For merly it was 25 cents at all time except holidays.

NEWS OF THE WEEK IN PHOTO-REVIEW



$10 TOP set for Jan. 18th premiere of 'Fashions of 1934' at N. Y. Hollywood in first of roadshow runs for Warners' style, spectacle and song special.°



WARNER STUDIO LAUDED by N. Y. Herald-Tribune in rave editorial for wide appeal of 'Anthony Adverse', 'British Agent', 'Napoleon' and other new year product.



NEW CODE FOR LOVERS presented to Broadway with Strand premiere of 'Easy To Love', Menjou-Tobin-Horton-Astor romantic farce.°



'AS THE EARTH TURNS' COMPLETED. Latest of six Warner best-selling giants rushed to cutting room for early cash-in on story's popularity.



IT'S IN THE CARDS. Coast praise after rough-cut view of 'Gambling Lady' gives early forecast for success of Barbara Stanwyck in 'season's most unusual role'.*



FIRST STARRING ROLE for Aline MacMahon to be 'Fur Coats', coming Warner film by author of 'Blessed Event'.

*A Warner Bros. Picture
°A First National Picture
Vitagraph, Inc., Distributors

Wurtzel Starts New Story Choice Group

HOLLYWOOD, Jan. 11.—Sol Wurtzel started something new in studio organization today when he began what he calls the story committee at the Fox Western Avenue studio.

The committee consists of some 30 people employed in the writing and publicity departments. It was organized for the purpose of submitting story ideas and to suggest for production, stories, plays and novels with the exception of those that are current hits on Broadway and best sellers.

The organization is also open to any studio employe. Any person submitting a title will, if used, receive $25. Any one submitting a suggestion for a story or play that is purchased is to receive $250.

Paramount Acquires Frisco St. Francis

SAN FRANCISCO, Jan. 11.—Paramount is apparently not worried by the local competitive situations. It has just leased the St. Francis, 1,440 seats, from Louis R. Lurie for 99 years at an estimated total rental of $7,400,000. Under the terms of the lease, it is understood, Lurie agrees to start a new 5,000 seat house on the site within two years.

Rumors are current that a number of small houses will close as a result of the terrific price competition in evidence here at present.

"Success" Ruben's Next

HOLLYWOOD, Jan. 11.—J. Walter Ruben is overseeing completion of the script and plans to start work on "Success" with Colleen Moore shortly for Radio. His last picture was "Man of Two Worlds," which opened at the Music Hall, New York, today.

"Man of Two Worlds" was caught in Hollywood and wired for publication in MOTION PICTURE DAILY on Dec. 27. The review said, in part:

". . . Francis Lederer has potentialities, fire, distinguished ability and appeal for women. 'Man of Two Worlds' may well serve as a promise of nectar and ambrosia to come from Lederer later."

Col. Signs Ann Sothern

HOLLYWOOD, Jan. 11.—As a result of her work in "Let's Fall in Love," Ann Sothern has been signed to a new long term contract at Columbia.

For the Library

Readers of *Motion Picture Daily* who may have on hand copies of this publication for the following dates are requested by E. H. Anderson, director of the New York Public Library, to forward them to complete the library's files:

May 1, 1933.
May 11, 1933.
June 21, 1933.

Copies of these issues are no longer on file at *Motion Picture Daily*.

Hollywood On Parade

By BILL SWIGART

HOLLYWOOD, Jan. 11.—Hollywood is beginning to kid itself through the medium of the screen according to the recent flare of gags pulled in various pictures satiring the eternal sunshine and virtual paradise, which has been its sacred tradition to extol. One of the recent CAGNEY pictures showed a situation wherein he picked California as a place to live in because of its all-year sunshine, beautiful flowers and wide open spaces, only to find upon his arrival, a downpour of rain, which is about the most miserable place one can find when it rains in California.

A similar incident was portrayed in a LOU BROOK two reel comedy and latest of all is in the picture "Advice to the Lovelorn". Here we get a radio announcer presenting Joe Gilch, president of a Chamber of Commerce who extols California to the skies, comparing it to the North where they have snow and sleet, to the South where they have typhoons and floods, to the Middle West where they have hurricanes. . . . "But none of this, my dear listeners in, can be tolerated in good old Cal-I-Forn-ia." Just as he completed this sentence an earthquake topples over the studio and the picture flashes to a demolished town.

If these incidents are to be a translation of the native's impression of California, particularly in Hollywood, it is an indication that its people have grown up. No longer can one offend a native if you say the climate is temperamental, when heretofore if one ever talked adverse to the climatic conditions or environs, it courted a breach of friendship or insulted the native whose tradition forced him to believe nothing could be wrong with California.

Kidding incidents similar to the ones mentioned might have an influence in moulding the minds of these dyed-in-the-wool natives and manifest at the same time that California can take it as well as dish it.

•

One reason for JESSE LASKY'S trip to New York was to search for auburn-haired beauties for his forthcoming production of "Redheads." Overproduction of blondes in Hollywood showing a ratio of 10 for every one brick top makes this move necessary.

•

ANDY CLYDE approached a riding master at one of the academies and requested a long horse. When asked how long, he said, "Long enough for nine people" . . . GEORGE RAFT'S trainer and bodyguard, known as "The Killer" is in the dog house for serving tea in the actor's dressing room. He even made the toast with CAROLE LOMBARD showing him how.

•

RALPH (Death Valley) FARNUM has added PATRICIA ELLIS to his long list of satisfied clients. The young woman has just had her contract with Warners renewed. . . . MINERVA URECAL, noted for her radio characterization of Mrs. Pasquale, has never played an Italian role on the screen. Quite to the contrary she speaks her lines mostly with a broad 'A' just having finished a part as an English maid in "Old Hannibal" at M-G-M.

Cincy Club Entertains

CINCINNATI, Jan. 11.—The first post-holiday affair of the recently organized Variety Club was a sports luncheon at the Netherland Plaza.

Guest speakers included: Larry McPhail, general manager; Larry Benton and Eppa Rixey, pitchers, Cincinnati Reds; Leo Durocher, shortstop, St. Louis Cardinals; Johnny Hodapp, International League, Rochester; and Bob Newhall, sports commentator of WLW, local broadcasting station.

Judge Edward T. Dixon, new appointee of the State Liquor Control Board, delivered a short address.

Denver Holds "Scandals"

DENVER, Jan. 11.—"Roman Scandals" cops the honor of being the first film to be held a second week at the Denver. The gross for the week was close to $18,000, three times an average week, and better than anything in the past three years. Started slowly the opening day, but built rapidly, with Sunday being better than Saturday. This is unusual in Denver.

Short Subject Week Set

Paramount will stage a "National Short Subject Week" for the seven-day period beginning Feb. 11, according to Neil Agnew, sales manager.

"Nellie" Opens Tonight

WASHINGTON, Jan. 11.—The world premiere of Warners' "Hi, Nellie" will take place at the Earle here tomorrow night.

Add 4 to "Moulin" Trip

Eddie Quillan, Sterling Halloway, Hoot Gibson and Jack Mulhall have been added to the list of Hollywood players who will make the coast-to-coast tour in the "Moulin Rouge"-Socony-Vacuum tieup made by United Artists.

Those who had previously agreed to make the trip were: Leo Carrillo, James and Mrs. Gleason, Russell Gleason, Raymond Hatton, Creighton Hale, Anna Q. Nillson, Mary Carlisle, Johnnie Mack Brown, Mary Brian, Ben Turpin, Sally O'Neill, Sally Blane, Arline Judge, Patsy Ruth Miller and Nancy Welford. The trip will start Feb. 1 with Philadelphia the first stop.

Milwaukee Board Elects

MILWAUKEE, Jan. 11.—Charles Trampe, Mid-West Film Co., has been reelected president of the Film Board of Trade for his sixth term. Other officers named include A. N. Schmitz, RKO, vice-president; Sam Shurman, M-G-M, secretary-treasurer, and L. George Ross, Columbia, sergeant-at-arms.

Statewide Hearing Off

MILWAUKEE, Jan. 11.—A hearing for Statewide Theatres creditors scheduled for today was postponed to Jan. 18 to await the results of the Fox Wisconsin and Wisconsin Amusement hearings before Judge Geiger next Saturday.

Leonie Knoedler to Make Indian Films

Leonie Knoedler, daughter of the head of the internationally known Knoedler Art Galleries, has organized Leonie Knoedler M. P. Prod., Inc., to produce features dealing with American Indian life. The first, to be titled "Pueblo," is scheduled to go into production during March at Santa Fe, N. M., and negotiations with recognized Hollywood directorial and technical talent are under way to handle production, according to Fitelson & Mayer, attorneys for Miss Knoedler.

A script is being prepared by Harry Behn from a Phillip Stevenson story, "The American." Miss Knoedler will require every one associated with production of the story to reside in New Mexico for a period of "atmospheric absorption" prior to starting work on "Pueblo," said F. William Fitelson.

Duals in 15 of 22 Columbus Theatres

COLUMBUS, Jan. 11.—A survey of the 22 independent neighborhood houses shows 15 double featuring on Saturday, two on Sunday and one on Tuesday with admissions from 10 to 20 cents, tax included.

The Sunday program at the Knickerbocker, downtown independent, consisted of a feature, newsreel, comedy, cartoon and novelty short, plus four acts of vaudeville, with top admission of 17 cents, including tax.

Hold Penix for Murder

FORT WORTH, Jan. 11.—Murder charges have been filed here against Earl Penix, Fort Worth theatre owner, for the alleged shooting of Ted Adams, 35-year-old radio crooner, during an altercation involving Penix's estranged wife.

Penix had been charged with assault with intent to kill and released on $5,000 bond, but after the death of Adams the charge was changed to murder.

Set Beery-Cooper Story

HOLLYWOOD, Jan. 11.—A script is now being readied for another Wallace Beery-Jackie Cooper co-starring vehicle, titled "Cabby."

The screen play is now being prepared by Lou Breslau, who recently signed a term ticket with the studio.

Cantor Serious

Seriously, Eddie Cantor wants to do something new and different as his next vehicle. He wants to act seriously and has been discussing the matter with Samuel Goldwyn in New York. The comedian is considering a number of stories, he says, and will get together with Goldwyn on a definite selection next week.

Cantor, who leaves April 1 for the Coast, says "Roman Scandals" is doing a tremendous business throughout the country. He was serious about it.

A HEADLINE CAST
GIVES
A FRONT-PAGE SHOW!

Entertainment stars give their talent–
Motion Picture Daily gives this space–

So you **GIVE A HAND! – – BE ON HAND** ***at the***

MILK and EGG LEAGUE
▲▲ BENEFIT ▲▲

FOR THE LOS ANGELES SANITORIUM
FOR NEW YORK'S TUBERCULAR POOR

NEW AMSTERDAM THEATRE
42nd STREET WEST OF BROADWAY

SUNDAY, JAN. 28 • • • 8:15 P. M.

▲ ▲ ▲

• With 1,001 Stars of Stage, Screen, and Radio •

A GRAND SHOW! . . . . A GRAND CAUSE! . . . . AND WHAT A GRAND AND GLORIOUS FEELING FOR YOU

to know you've helped bring health and happiness to hundreds of New York's unfortunates!

▲

A PERCENTAGE OF THE PROCEEDS WILL BE DONATED TO THE ACTORS' FUND OF AMERICA.

▲

Make your reservations NOW!

TICKETS ON SALE AT THE NEW YORK STRAND
Or 'Phone Circle 7-5900

Operator Dispute In Chicago Settled

(*Continued from page* 1)

provides that, pending arbitration, there shall be no strikes or lockouts, the Administration explained that on Jan. 4 Division Administrator Sol A. Rosenblatt was advised the operators in Chicago had disagreed with the exhibitors' association and had ordered a strike.

"Immediately communication with Thomas E. Maloy, representing the operators union of Chicago, and direction of his attention to the provisions of the code resulted in withdrawal of the strike order and an agreement to arbitrate immediately," it was stated.

"The National Recovery Administration has just been advised that on Jan. 10 the arbitration was entirely successful and satisfactory to all parties concerned. The Administration has expressed its gratification to Mr. Maloy and to the Chicago Exhibitors Ass'n for their cooperation and entire compliance with the code."

IATSE Wins Studio Jurisdiction Vote

(*Continued from page* 1)

seems to be still on. Harold Smith, head of the I. A. T. S. E. local, calls it a "victory," and says he will insist that the Department of Justice force a recognition of his union in accordance with the National Recovery Act.

H. P. Brigaerts, head of the I. B. E. W., says he is not alarmed over the apparent defeat. "They can vote until the cows come home," he says, "but we have a contract with the studios recognized by the National Labor Board."

Pat Casey has nothing to say.

Discuss Rules for Boards Under Code

Charles L. O'Reilly, Nathan Yamins, J. Robert Rubin and Harold S. Bareford will meet at 11 o'clock this morning at Rubin's office to discuss the preliminary steps in preparing a manual of rules and regulations for the 64 clearance and zoning and grievance boards. The committee was appointed at the Code Authority session late Wednesday evening.



Looking 'Em Over

"Easy to Love"

(*Warners*)

A fast-moving comedy of the double standard; highly sophisticated in theme but modified by the Edward Everett Horton treatment of inoffensive comic-seriousness.

Adolphe Menjou, as the husband, is involved in an extra-marital affair with Mary Astor, which throws his wife, Genevieve Tobin, into the company of Horton, who has been the unresponsive escort of Miss Astor, while innocently in love with Menjou's wife. The latter, still in love with Menjou, definitely learns of his infidelity and, in an effort to recapture his devotion, makes a pretense of having an affair with Horton. The situation attains a climax in a roadhouse boudoir where the four have pursued Menjou's daughter and her fiance to save the girl from making what is known as a "mistake." It develops that the daughter has staged the affair to bring her parents to terms and effect a reconciliation, which she does. Menjou renounces Miss Astor; Horton renounces Miss Tobin and Horton and Miss Astor arrive at an understanding.

The picture, though fast-moving, is largely dependent on its dialogue for development. Guy Kibbee, as a "marrying parson," appears in the final sequence to win as much amusement from the audience as anything that has gone before. A little broad in theme but essentially light in treatment and effect.

"Olsen's Big Moment"

(*Fox*)

"Olsen's Big Moment" will be all right with those who appreciate the El Brendel type of humor.

Brendel is the superintendent of a swanky apartment building. He gets himself into a tight corner when he is confronted with the prospect of being killed by a wild-eyed lad if he fails to stop the gal he loves from marrying a monied souse or by a gangster who surprises his sister in the company of Brendel and the rich guy at a speakeasy and insists upon a marriage, threatening Brendel with "the works" if he does not see that the ceremony goes through. Brendel's big moment comes when he routs the gangster and his pals and brings the two young lovers together.

Walter Catlett as the wealthy drunk steals the show. Barbara Weeks and John Arledge are the lovers. Malcolm St. Clair directed.

"Fugitive Lovers," this morning's opener at the Capitol, was reviewed by wire from Hollywood on Dec. 21.

"Eight Girls in a Boat," this morning's opener at the Paramount, was reviewed from Hollywood on Dec. 16.

Beecroft Realigns Sun Haven Studios

ST. PETERSBURG, Fla., Jan. 11.—Reorganization of the Sun Haven Studios, Inc., has been completed here with the naming of Chester Beecroft of New York, former production manager for William Randolph Hearst's Cosmopolitan studio, as chief studio executive. Beecroft has already taken charge and has organized the studio personnel preparatory to starting production around Jan. 22.

Beecroft is well known in the industry, having been production manager for Charlie Chaplin, Marion Davies, Douglas Fairbanks and others.

The studio personnel as named by Beecroft follows: Frank Gatteri, assistant to chief studio executive; Fred V. Blair, general manager; Harry G. Smith, scenario editor; William A. Dawson and Richard Harrity, assistant scenario editors; Rondo Hatton, publicity director.

Amity Buys More Shorts

John M. Crinnion, head of Amity Pictures, has bought a series of pictures produced by Harold McCracken and M. J. Weisfeldt and released under the general title, "Seeing the U. S. A." Three are complete. They are: "Georgia," "Maryland" and "Out West Where the North Begins."

New Yorkers Attend Hoblitzelle Session

DALLAS, Jan. 11.—New York executives are well represented here at the three-day conference of officials and managers of Karl Hoblitzelle's Interstate Circuit, Inc., and Consolidated Theatres, Inc., the two organizations now operating practically all the former Publix and RKO Southern houses in this territory. The two circuits control 86 theatres in 30 cities and towns.

The meetings began Tuesday and will end tomorrow. Among those here from New York are: Harry Gold of United Artists; John C. Clark, Fox general sales manager; George J. Schaefer, Paramount general manager, and Stanley Waite; S. Charles Einfeld, director of publicity and advertising for Warners; Jules Levey, general sales manager for RKO. Harry Ballance, southern district manager for Fox, and Carl Lesserman of Warners are also here.

All the local exchange managers are attending.

Hold Another Ad Meet

Circuit heads and advertising representatives of the major distributing companies met last night at the Hays office for an interpretation of the advertising clauses by J. J. McCarthy.

NRA Names Labor, Extra Committees

(*Continued from page* 1)

union, and Dick L'Estrange, California Federation of Labor.

The extra committee, to work under Part 4 (A), Section 3 of the code, will consist of Dr. A. H. Giannini, Mabel E. Kinney, Mrs. Una N. Hopkins, Fred Pelton, Dave Werner, M. H. Hoffman, B. B. Kahane, Casey, Charles Miller, Larry Steers, Lee Phelps, Allan Garcia and Fred D. Burns. Miss Kinney and Hoffman, Kahane, Miller and Steers are designated as the executive committee of the standing committee.

No Walkout, States Attorney for ITOA

Although Local 306 states that a meeting between the operators and the I. T. O. A., scheduled for yesterday, was not held because the exhibitor group walked out on the plans, Milton C. Weisman, attorney for the I. T. O. A., says that the scheduled session was called off by mutual consent and that he has a letter from Samuel M. Birnbaum, attorney for the local, to that effect.

Weisman stated that he would meet representatives of the operators at any time to negotiate a basic scale agreement for local theatres.

Complaints on File, Insists J. J. Finn

James J. Finn, editor of *International Projectionist,* yesterday took issue with Division Administrator Sol A. Rosenblatt's statement that no complaints on wage cuts under the code have been received by the NRA from operators.

"I have in my files," he stated, "carbon copies of many complaints mailed to Administrator Rosenblatt, General Hugh S. Johnson and other interested parties."

Criticisms of Code "Silly"—Rosenblatt

(*Continued from page* 1)

chairman, that he should never have permitted the code to go out in its present form, that it was loosely drawn and should be tightened up, Division Administrator Sol A. Rosenblatt characterized the charges as "silly," and not important enough to talk about.

When MOTION PICTURE DAILY early yesterday morning informed Rosenblatt of the charges, the reporter had to go into detail and even explain who Hodgson was.

No Alternate for Yamins

No alternate will substitute for Nathan Yamins on the Code Authority at any meeting, the New England exhibitor says. It is doubtful whether Charles L. O'Reilly, president of the T.O.C.C., will name an alternate.

Ampa Directors to Meet

The board of directors of the Ampa will meet today to discuss membership and other details pertaining to the organization.

Asserts Code Delays Chafe ITO on Coast

(*Continued from page* 1)

g over the delay in setting up the cal clearance and zoning board for eeks and telephone inquiries from e home scene as to a probable date hen the boards will be in operation ve come to him daily since his ar- val in New York.

"The Los Angeles territory has had clearance or zoning schedules," erinstein said, "and several months go, in anticipation of schedules be- g established under the code which ould be based on admission prices, ere was a concerted move to in- ease admissions. However, the de- y in setting up local boards already as discouraged many exhibitors who e no possibility of current season leases being affected by new sched- es and others are even doubtful hether schedules can be agreed up- before next season's selling gets nder way.

"The result," Berinstein continued, s that subsequent run admissions are ck again to 15 cents from the pre- iling 25 cents of the past few onths. It is our fear that, with the st enthusiasm over NRA wearing f, many of these theatres may be clined to relinquish their Blue agles rather than go back to the gher scales, particularly if the local ards aren't in action soon.

"The code," Berinstein pointed out, vill add new costs to the already gher theatre overhead from in- eased labor costs under NRA. More- er, exhibitors in our section of the untry have no representative on the ode Authority and no direct contact ith it. We're like a lot of step- ildren out there, who learn what is ppening under the code several days ter the rest of the country is fa- iliar with it. All of these are seri- us things to an exhibitor out there, rticularly if he is already half in- ned to give up his Blue Eagle. How- er, I think the prompt naming of a cal clearance and zoning board ould be the solution to most of our esent problems."

Berinstein made it clear that neith- his organization nor the large body Southern California exhibitors had y fault to find with the code itself id predicted "100 per cent assent to " by the membership in his organi- tion.

Berinstein is contacting Code Au- ority members here in an endeavor obtain some assurance as to when cal boards can be expected to begin nctioning. He plans to remain here other week.

No Agreement in MPTO

OMAHA, Jan. 11.—No agreement as reached here at the M. P. T. O. eeting on a plan for clearance and ning to be presented to Code Au- ority. Members found it impossible agree on a committee report.

Lawyer NRA Aide Here

Thomas J. Donovan, lawyer, has en named chief NRA aide in New ork by Henry P. Wolff, newly ap- inted city administrator.

Third List of 303 Nominees Is Announced

(*Continued from page* 1)

be thoroughly investigated by the appointing group.

Although recommendations close at midnight Jan. 20, this does not necessarily mean that the men suggested for positions have to file code assents by that date. Deadline for return of compliance forms is midnight Jan. 31. Starting Jan. 21, the committee will start sifting the names submitted, but actual work on the appointments will not get under way until all assents are in. That may be later than Jan. 31, because a signed form mailed on the coast before midnight of the last day of the month is still good when it arrives Feb. 4.

All compliances must be signed without qualifications to be valid. The list as released by the authority is as follows:

Albany—R. C. Halligan, C. G. Eastman, Ray Smith, Charles Johnson, Nate Sanbar, C. H. Buckley, Lou Lazar, Wm. C. Smalley, Mr. Harrington, Charles Wilson, Morris Silverman, Bernie Mills, Jack Beck, A. Stone and Wm. Benton.

Atlanta—Wm. K. Jenkins, Mitchel Wolfson, R. B. Wilby, O. C. Lam, Louis Bach and Ike Katz.

Boston—M. M. Jeffrey, R. C. Cropper, Tom Bailey, Maurice Wolf, Tim O'Toole, Herman Rifkin, John Dervin, Tom Meighan, Joseph Brennan, Max Melincoff, Edward Ausin, Walter B. Littlefield, Max L. Levenson, Philip Smith, Harold Stoneman, Ralph Snyder, Frank Lydon, Joseph Levenson and Martha W. Ferris.

Buffalo—Kenneth Robinson, Harry Dixon, E. K. O'Shea, Jacob Berkowitz, James Holden, Ralph Crabill, Erwin Price, Sol Raives, Jules H. Michael, J. A. Reid, Willis Sargent, Albert A. Fenyiessy, Chester Fenyiessy, E. Wm. Tiskoff, R. P. Merriman and G. N. King.

Chicago—Edward Grossman, Felix Mendelsohn, Jack Osserman, Edwin Silverman, Phil Dunas, B. N. Judell, James Coston, Walter Immerman, J. Rubens, Verne Langdon, Jack Rose, Nathan Wolf, E. W. Haferkamp, S. H. Selig, Benj. Lasker, Aaron Saperstein, Lou Reinheimer, Simon Simansky and Ben Bartelstein.

Cincinnati—S. D. Lee.

Cleveland—J. Himmelein, I. J. Schmertz, F. D. Drew, M. A. Mooney, Matt Goodman, Nat Lefton, H. C. Bissel, Nat Holt, M. S. Fine, E. C. Flanigan, Dan Robbins, Frank Gross, P. E. Essick, J. P. Kalafat, M. B. Horwitz, Henry Greenleiger and Paul Gusdanovic.

Dallas—Claude Ezell, Bob McIllheran, Leaman Marshall, A. W. Lilly, Paul Scott and I. B. Adelman.

Denver—Henry Fredel, Joe Ashby, Jim Morrison, Earl Bell, Wayne Ball, Jack Langan, Rick Ricketson, L. J. Finske, Louis Hellborn, Ed Schulte and H. E. Huffman.

Des Moines—S. I. Maver, E. J. Tilton, Joe Lery, Louis Patz, H. M. Weinberg, Ralph Branton, Leo F. Wolcott, C. L. Niles, E. D. Ellsworth, Don Thornley, Wayne Dutton and F. R. Puffer.

Detroit—Fred North, Otto W. Bolle, Sam Sepolin, Harlan Starr, G. W. Freudle, James Minter, Ray Branch, Roy Taylor.

Indianapolis—Jack Flex, Kenneth Collins, Henry Burton, Ace Berry, F. B. Saunders, M. Marcus, Earl Cunnyham, A. C. Zaring, Louis Markun, Charles Olson, L. B. Soulden, R. R. Bair, W. J. Bradley and Harry Markun.

Kansas City—W. I. Kuhtzki, T. R. Thompson, Arthur Cole, F. C. Hensler, Robert Withers, Harry Taylor, Wm. Benjamin, Elmer Rhoden, A. F. Baker, Lawrence Lehman, Ed Dubinsky, C. L. McVey, Jay Means, Fred Meyer, E. E. Webber and Mrs. A. Baier.

Los Angeles—Carol Peacock, Howard Stebbins, Jack Sullivan, Russell Rogers, George Hanes and Harry Hicks.

Milwaukee—A. N. Schmetz, George L. Levine, C. W. Trampe, Sam Shurman, J. E. O'Toole, Jack Brachman, D. E. Weshner, H. J. Fitzgerald, Fred S. Meyer, Thomas E. Saxe, Jack Yeo, John Adler, Chas. Washicheck, F. J. McWilliams W. L. Ainsworth, Ed Maertz and Harry Perlenitz.

Minneapolis—Al Anson, Henry Greene, Al Steffes, Jos. Friedman, Sidney Blackmore, Bennie Berger, W. R. Frank, A. A. Kaplan, O. A. Lee, Frank C. Brickley and Ray McMuin.

New Haven—Kathryn T. Sullivan.

New Orleans—Guy Brown, Richard Frank, Fred Goodrow, Lee Schexnayder, E. V. Richards, Henry Lazarus, W. J. Salles, Mrs. E. Junqua, I. J. Hanelson, Jos. Akins and Jack Dischany.

New York—Louis F. Blumenthal, Harry Schiffman, Harry Brandt, L. S. Bolognino, Joseph Seider, A. H. Schwartz, Wm. Small, Leo Brecher, Rudolph Sanders, Leo Justin, Jack Hathern, Maurice Brown, Hyman Rachmil.

Omaha—D. V. McLucas, A. M. Avery, Thomas Burke, H. J. Chapman, M. J. Stern, Ralph Branton, Morgan Ames, Geo. F. Monroe, Jr., Geo. F. Monroe, Sr., Calvin Bard, H. F. Kennedy, Walter Creal, August Herman, Sam Epstein and H. A. Taylor.

Philadelphia—P. Mortimer Lewis, Lew Pizor, M. J. O'Toole, Joe Willing, Philip Sherlwig, M. B. Comerford, Milton Rogasner, Charles Segal, Herbert J. Elliott, David Barrist and Jay Emanuel.

Pittsburgh—John J. Maloney, B. M. Stearn, Lew Lefton, James H. Alexander, M. J. Cullen, Harry L. Kalmine, John H. Harris, Alex S. Moore, Wm. D. Davis and Dr. C. E. Herman.

Portland—Homer Gill, Ted Gamble, Andrew Sasso, William Cutts, George Jackson and Bob White

St. Louis—Harold Evans, H. H. Herman, Lito Hill, Lon Cox, Cullen S. Espey, George Tyson, Fred Wehrenberg, Oscar Lehr, Charles Goldman, S. E. Putle, Clarence Kaiman and Albert Critchlow.

Salt Lake City—Charles Walker, Maurick Sassl, Wm. F. Gordon, Robert Hill, Ray Hendry, C. E. Huish, John Gillette, Stan Robbins and Joseph Lawrence.

San Francisco—G. C. Parsons, George Ballentine, B. Rise, L. E. Tillman, A. M. Bowles, Cliff Work, H. V. Harvey, George M. Mann, Aaron Goldberg and Morgan A. Walsh.

Seattle—Neal East, Al. Oxtoly, L. J. McGinley, L. N. Walton, Albert Finkelstein, Al. Rosenburg, John Hamrick, Hugh Bruen, L. O. Lukan and Leroy Johnson.

Washington—W. Silverberg.

Cantor-Rosenblatt Discuss Studio Pay

Eddie Cantor, a member of Code Authority in addition to being head of the Actors' Screen Guild, early yesterday morning conferred with Division Administrator Sol A. Rosenblatt at H. M. Warner's office. The confab revolved around charges from Hollywood extras and bit players that studios were "chiseling" on salaries.

When a MOTION PICTURE DAILY reporter became too inquisitive about the discussion he was shooed off—with apologies.

N. O. Houses Sign Code

NEW ORLEANS, Jan. 11.—Allied Theatres consisting of the Bijou, Coliseum, Garden, Lafayette, Lincoln, Newcomb, Peacock, Plaza and Wonderland have signed the code "with exceptions."

32-Hour Week For Industry Held Certain

(*Continued from page* 1)

der NRA has provided a smaller amount of employment than was anticipated in advance. It was also pointed out that in many instances where new employment had been created wages were apportioned in such a way that payrolls showed little or no increase as a result, thus contributing to new purchasing power, which is regarded as one of the primary objectives of NRA.

Definite action on General Johnson's proposal to inaugurate a 32-hour week is expected to be made to the industry through the Code Authority when that body meets next month with General Johnson and the code authorities of all other industries. Imposing of the 32-hour week, it was pointed out, on this or any other industry is possible by means of an executive order. Under the N.I.R.A. the President reserves the right to make changes in codes for any industry by executive order.

Poster Men at Odds On Code Provisions

OMAHA, Jan. 11.—To further the interest of middle western poster renters and to discuss their points of difference with those in the east, representatives from several cities gathered here and named Irwin Levin, local attorney, to represent them at a hearing on the poster exchange code in Washington on Wednesday.

Sharp differences on code provisions between middle western and eastern poster exchanges were revealed at the meeting. It is understood there is some resentment over the fact that the code draft includes provisions favorable to eastern poster firms. The present code version, as sponsored by the national poster exchange associations, bans selling in each other's territory, restricts rebates on returned paper and limits discounts. The middle western exchanges oppose these provisions, claiming they have many customers in the eastern states and that they are not in a position to charge as much as their eastern competitors.

The regional meeting here instructed their attorney to fight for favored changes in the proposed code. Represented were independent exchanges in Denver, Dallas, Oklahoma City, Kansas City and Omaha.



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MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 35. NO. 11 NEW YORK, SATURDAY, JANUARY 13, 1934 TEN CENTS

Salary Probe Goes Into Tiniest Industry Detail

Even Relatives Must Be Listed—Forms Go Into the Mail

WASHINGTON, Jan. 12.—Sweeping investigation into the minutest details of salaries in all branches of the industry except individual theatres, even to the extent of listing executives' relatives, is provided in the NRA questionnaires which were put into the mails today.

In addition, every detail of profit and loss of all companies must be listed.

The extraordinary extent of the probe is apt to come as a shock to home offices as well as the production forces on the coast where big salaries came in for attack and defense at the start of the code negotiations. The investigation was ordered by President Roosevelt in approving the code on Nov. 27. About 2,000 producers, distributors and theatre circuit executives will receive the questionnaires from Division Administrator Sol A. Rosenblatt.

Incorporated in the questionnaire is a series of questions designed to reveal heretofore little known intimate facts regarding nepotism, bonuses and commissions, rights to purchase stock, etc., the whole comprising the most extensive probe of compensation ever undertaken by any branch of the government with respect to any industry.

Availing himself of the experience of the Federal Trade Commission, now completing a study of executive

(Continued on page 3)

Theatre Union Files 38 New NRA Charges

Thirty-eight new complaints charging theatre operators with NRA violations in working employes more than 40 hours weekly were filed with Elinor M. Herrick at the regional labor board here yesterday by Local 118, Building Service Employes Union.

Charles C. Levey secretary-treasurer of the local, said that a formal letter of complaint supported by affidavits, had been sent to Mrs. Herrick charging Howard S. Cullman, receiver for the Roxy, with a violation of Section 7-A of the N. I. R. A. in allegedly warning employes of the theatre that they would be discharged if they joined the union. The letter asked that an investigation be made by the regional labor board, Levey said. A second letter sent to the board by the local charged Springer & Cocalis with issuing a similar warning last Tuesday night at a meeting

(Continued on page 3)

That Deadline

Code assent forms, dropped in the mail from any point in the United States, will prove acceptable to Code Authority provided they are postmarked not later than midnight, Jan. 31.

This is official.

New St. Louis Theatre Setup In the Offing

ST. LOUIS, Jan. 12.—With reorganization plans under way by the Skouras Brothers for Central States Theatres Corp., a change in the local theatre setup is expected shortly. The company now controls the Ambassador, Missouri and Grand Central, and is currently in receivership. Special Master Nelson Cunliff soon will set a date for the sale of the three houses to satisfy $5,920,500 in outstanding first mortgage bonds in default.

Following the reorganization, Skouras will in all probability make a deal

(Continued on page 4)

Stage Shows Back in Pittsburgh Theatres

PITTSBURGH, Jan. 12.—Stage shows are resuming in de luxe houses after almost two years of straight pictures, as a result of stiff competition.

Shows return to the Penn Jan. 26.

(Continued on page 4)

Mack Death Leaves Series Unfinished

Death of Charles E. Mack of Moran and Mack in an automobile accident at Mesa, Ariz., will prevent the completion of a series of six comedies which the team was scheduled to make for Educational. Three of these has been completed.

Mr. and Mrs. Mack, with George Moran and Mack Sennett left New

(Continued on page 4)

Missouri Passes Sales Levy of Half Per Cent

JEFFERSON CITY, Mo., Jan. 12.—Missouri has passed the one-half of one per cent sales tax and has killed two other tax bills affecting the industry. Passage of the bill will settle the state's tax problem, it is believed, until the regular session of the legislature which convenes next year.

A special session of the legislature was convened on Oct. 17. It adjourned over the holidays with three bills pending, the sales tax, which applies to everything—doctors, food,

(Continued on page 3)

Formal Notices Out On Code Extension

Formal announcement was made yesterday by the Code Authority that Hugh S. Johnson has "approved extensions of time to local clearance and zoning and grievance boards to formulate, prescribe and publish territory schedules of clearance from Jan. 1 to a date to be fixed by the authority with approval of Division Administrator Sol A. Rosenblatt."

Rosenblatt Leaves For Coast Jan. 19

WASHINGTON, Jan. 12.—Division Administrator Sol A. Rosenblatt leaves for the coast on Jan. 19. With

(Continued on page 3)

Referee Cuts 15% of Para. Receiver Cost

Asks Court Approval in Report — Fight Looms

A report approving approximately 5 per cent of the $296,000 asked for Paramount Publix equity receivership costs was submitted to the U. S. District Court here yesterday by Referee Henry K. Davis. Judge William Bondy is slated to pass on the report next Wednesday, at which time its approval by the court will be opposed by counsel for at least two groups of Paramount Publix bondholders.

Referee Davis's report recommends to the court that approximately $250,000 of the $296,000 originally asked for be allowed. The allowances, mostly attorneys' fees, are for expenses incurred during the seven weeks' period of the Paramount Publix equity receivership, from Jan. 26, 1933, up to the time the company went into bankruptcy in March.

The principal reduction recommended by Referee Davis yesterday was in the amount of $25,000 shaved from the allowance asked by the law firm of Root, Clark, Buckner & Ballantine, attorneys for the equity receivers.

(Continued on page 4)

Foreclosure Asked On Brooklyn Houses

Manufacturers Trust, as trustees of $9,000,000 mortgage issue of the Allied Owners Corp. on five theatre buildings, yesterday applied to Federal Judge Robert A. Inch in Brooklyn for foreclosure of the mortgage. The theatres involved are the Paramount, the Pitkin and the Kings in Brooklyn, the Valencia in Jamaica, and a theatre in Alabama. The motion to foreclose was opposed by John J. Flynn.

The attorney for the trustees of the bankrupt Allied Owners told the court that a contract with Loew's Realty Corp. and Loew's Theatres,

(Continued on page 4)

Interstate to Try Sharing of Profit

DALLAS, Jan. 12.—Employes are to share in the profits of the Interstate Circuit, Inc., declared Karl Hoblitzelle here at the second day's session

(Continued on page 2)

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Advance G. T. E. Hearing

WILMINGTON, Jan. 12.—Hearing on the application of U. S. Senator Daniel O. Hastings, as receiver for General Theatres Equipment, for authority to compromise claims filed by the Chase National Bank, which was originally set for Feb. 23, has been advanced to Feb. 13.

A Correction

"Frankie and Johnnie" will not be produced by Reliance Pictures at Biograph as reported in MOTION PICTURE DAILY yesterday. The film will be directed by Chester Erskine.

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1934-35

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Flash Reviews

"Legong"
(Bennett Prod.)

HOLLYWOOD, Jan. 12.—Its beautiful legend of native customs is portrayed artistically, with the girls gently revealing their charms. . . .

"West of the Divide"
(Monogram)

A variation of the ranch-stealing, cattle-rustling formula, with three spectacular fist fights and four good chases. . . .

"I Was a Spy"
(Gaumont British-Fox)

An intriguing effort, entertainingly handled by all concerned. . . .

Reviews of these films will appear in full in a later issue of MOTION PICTURE DAILY.

Midwest Legitimate Show Circuit Folds

KANSAS CITY, Jan. 12.—Writing off a reported loss of $15,000 in nine weeks, an ambitious attempt to "revive the road" in five middle western cities has met with failure. While it isn't the official reason, screen competition is generally credited with causing the sudden termination of the season and cancellation of bookings.

The project, begun early in November, involved a roadshow circuit comprising Kansas City, Cincinnati, Indianapolis, Louisville and St. Louis. Arthur M. Oberfelder, Denver producer, expected to revive popular interest in the legitimate stage by presenting Broadway plays at prices ranging from 35 cents to $1 top. Productions were cast in New York and played a week in each city. The circuit is reported to have shown a profit at the Shubert in Kansas City, but lost it in the other cities.

Kandel Closes Deals

M. J. Kandel, head of Ideal Pictures, has just closed several state rights deals. "Found Alive" goes to Phil Meyer, General Pictures Exchange, for New York; to Irving Mandel, Security Pictures Corp., for Chicago; to Tom Branon, Affiliated Producers Exchange, for the south, and to Sam Davidson, Cameo Screen Attractions, for Boston.

Interstate to Try Sharing of Profit

(Continued from page 1)

of executives and managers from all the 86 houses operated by the organization. The announcement stirred up considerable excitement among the men.

Hoblitzelle laid stress on the need of making the community in which each theatre operates the center of its activity. He urged managers to do their purchasing in their own localities.

"We must keep the money in the towns where we operate and spend it where it is made," he said. "In every case it is my sincere wish that managers will thus help make their theatres an asset to their communities."

Other speakers were R. J. O'Donnell and Clarence E. Linz, the latter receiver for Southern Enterprises, Inc., which is to be combined with the Hoblitzelle organization when the receivership is ended.

A banquet at the Baker Hotel closed the three-day gathering last night.

List of Radio City Officers Given Out

The complete board and roster of officers of Radio City theatres was made known yesterday by M. H. Aylesworth, chairman of the board. RKO is represented by five of nine directors and five of six officers. Rockefeller interests have four directors and one officer.

Following are the directors: Aylesworth, J. R. McDonough, W. G. Van Schmus, L. E. Thompson, Webster B. Todd, Herman Zohbel, Joseph O. Brown, William Mallard and Francis T. Christy. Officers are: Aylesworth, chairman; McDonough, president; Van Schmus, vice-president and comptroller; Thompson, vice-president and acting general manager; Zohbel, treasurer, and Mallard, secretary.

Lyons to Denver

ST. LOUIS, Jan. 12.—Al Lyons, master of ceremonies at the Fox, has been transferred to the Orpheum, Denver, an F. & M. theatre.

Columbia Leads Stock Rise

	High	Low	Close	Net Change	Sales
Columbia Pictures vtc	25⅛	24	24⅝	+1⅜	1,300
Consolidated Film Industries	3⅝	3½	3½	.....	400
Consolidated Film Industries pfd	13½	13	13¼	.....	2,500
Eastman Kodak	81	80⅝	81	.....	800
Fox Film "A"	13¾	13	13¾	+1¼	900
Loew's, Inc.	27¾	27	27	.....	16,900
Paramount cts.	2⅞	2	2⅞	+ ⅞	117,500
Pathe Exchange	1¾	1⅝	1⅝	+ ⅛	1,000
Pathe Exchange "A"	11⅜	10¾	11⅜	+ ⅜	900
RKO	2½	2⅜	2⅜	— ⅛	3,200
Warner Bros.	5¾	5⅛	5½	+ ⅜	11,500

Curb Stocks Inactive

	High	Low	Close	Net Change	Sales
Technicolor	8¼	8¼	8¼	+ ⅛	100

Bonds in Big Advance

	High	Low	Close	Net Change	Sales
General Theatres Equipment 6s '40	5½	4	5½	+1⅜	30
General Theatres Equipment 6s '40 ctf	4½	4½	4½	+ ⅜	3
Keith, B. F., 6s '46	52¾	52	52¾	+ ¾	4
Loew's 6s '41 ww deb rights	88½	87¾	88½	+ ⅝	20
Paramount Broadway 5½s '51	34	32⅞	34	+2½	17
Paramount F. L. 6s '47	34	32	34	+4⅜	4
Paramount Publix 5½s, '50	34½	31⅝	34½	+3¼	98
Warner Bros. 6s '39 wd	43¾	42¾	43½	+1	87

Purely Personal

HERB YATES, EARLE HAMMONS, CRESS SMITH, PHIL REISMAN, ED MCAVOY, HAL HORNE, NAT SPINGOLD, LOU GOLDER, JACK COHN, BILL GERMAN, RAY JOHNSTON, JACK ELLIS, AL LICHTMAN, HARRY GOETZ and JOE MOSKOWITZ were just a few of those lunching at the Tavern yesterday.

JOHN ELDREDGE, Broadway stage player, has been signed by Warners. He will not leave for the coast until after the opening of ARTHUR HOPKINS' production of PHILIP BARRY'S new play, in which he has a role.

DICK BRADY and HERMAN C. SIEVERS of Eastman Kodak sailed on the *Columbus* last night for the West Indies.

CHARLES LAMONT will direct the next ANDY CLYDE comedy for Educational.

The GEORGE O'BRIENS (MARGUERITE CHURCHILL) leave for Hollywood Tuesday.

MAURICE CHEVALIER plans to leave tomorrow for the coast to start work on "The Merry Widow" for M-G-M.

S. J. and LAURA PERELMAN have sold their play "All Good Americans" to M-G-M.

BILLY WILKERSON is in town from Hollywood.

JANET GAYNOR is en route here for a short vacation.

GEORGE WEEKS goes to Michigan for medical treatment today.

Schlesinger Awaits Reception on Color

That the balance of the "Merrie Melodies" cartoons he is making for Vitaphone release this season may be produced in color was revealed yesterday by Leon Schlesinger. Everything depends upon the reception "Honeymoon Hotel," his first in color will receive from Vitaphone officials. Schlesinger is awaiting arrival of a print of the cartoon here for showing to them.

Another purpose of Schlesinger's visit is to acquire new material and to make arrangements for the renewal of his contract with Vitaphone for 1934-1935.

Federation Members Talk Over Finance

Officers of the Federation of the M. P. Industry met yesterday to consider financial matters at the office of Harry Thomas, Federation president.

Action on drawing up a code of ethics for independent production and advertising, which the Federation announced was scheduled for yesterday, did not take place.

Schenck Recovering

Nicholas M. Schenck is recuperating from a heavy cold.

Salary Probe Enters Into Tiniest Detail

(Continued from page 1)

salaries, generally, under a Senate resolution, Rosenblatt has carried much further the study to be made in the film industry.

The questionnaire covers only individual compensation of $150 dollars or more a week. No time limit has been set for the return of the questionnaires, but Rosenblatt today estimated that they should all be back within 30 days. Individual theatres are not being canvassed, it being believed that few, if any, pay salaries exceeding the minimum to be investigated, but all theatre circuits and all producers and distributors are being covered.

All details of individual questionnaires will be held in strict confidence and will be made available only to the recovery administrator, Rosenblatt and his chief investigator, it was stated. All questionnaires must be certified as correct by an officer of the company filing the information.

Includes Three Schedules

The questionnaire consists of three schedules, each covering all three branches of the industry. The first schedule relates to finances and employment, each company being required to show, separately, for each of the three years, 1931 to 1933, the gross receipts, cost of supplies and materials, total capital investment, surplus and surplus reserves, total assets, net profit or loss, and the total number and total compensation of company directors, executives, supervisors, clerical forces, actors and actresses, extra players, film directors, musical directors and musicians, writers, authors and dramatists, regularly and not regularly employed; composers, arrangers and librarians; scenic artists and designers; costume designers; sound engineers, sound technicians, cameramen, studio mechanics, laboratory workers, and all other employes.

Delves Still Deeper

In the second schedule the investigation goes deeper, all companies being required to furnish information regarding all individuals receiving an aggregate compensation of $150 or more a week, to show the name of the person, his position or title, weekly cash salary rate, cash salary received during the year, and all other compensation received during the year.

On a separate form to be filed with this schedule, respondents to the questionnaire are required to again list these individuals and to report the names of any relatives or any such individuals who also are drawing compensation from the industry.

"This information," it is explained on the blank, "is for identification purposes only and will be held in strictest confidence. This information will be detached from the questionnaire upon its receipt at this office."

Schedule 3 is designed to develop intimate details concerning film companies' financial transactions with officers, actors, directors and other employes, again listing the individuals covered in Schedule 2. Respondents are required to explain any compensation other than regular cash salary which has been paid any individual by showing the amount of cash bonuses, commissions and other cash compensation in addition to cash salary; the amount of bonuses, commissions and other compensation in capital stock, bonds or other securities at the market value on date deliverable; the amount of subscription rights for bonds, stock or other securities, including special options, also at market value on date deliverable; and the amount of any other compensation, remuneration, gift, etc., not already listed.

In the letter accompanying and explaining the questionnaire, quoting the President's order for an investigation and calling for the cooperation of the industry, Rosenblatt explains that the questionnaire is intended to be filled out as a composite report for all the affiliated companies, as well as a separate report for each company or enterprise affiliated with any organization. For this purpose, not less than two copies are being sent to each company and as many individual reports for every affiliate, and a general report for the entire organization.

Missouri Passes Sales Levy of Half Per Cent

(Continued from page 1)

films and all other forms of business. This bill was favored by the industry in preference to a ticket tax which called for a levy of one and one-half cents up to 25 cents and a straight 10 per cent on all tickets above 25 cents. The other bill was a one-cent footage tax on all negative and positive.

LOUISVILLE, Jan. 12.—Kentucky's third special legislative session in recent months for the purpose of raising revenue will get a new tax program from Governor Laffoon next Monday. None of its details have been made public as yet.

SEATTLE, Jan. 12. — Washington's dog racing bill, regarded by theatre men as holding prospects of severe competition, has been defeated by the legislature. A general tax bill is pending.

It's Art in K. C.

Kansas City, Jan. 12.—A kneeling feminine figure which Roxy rejected as too shocking for New York is getting quite a play in Kansas City as a work of art. Created for Radio City by William Zorach, New York sculptor, the nude, supposedly symbolizing "The Dance," was barred as not representing the sponsors' idea. She now is in the loan gallery at the recently opened William Rockhill Nelson Gallery of Art here, where her unblushing charms are on display for all eyes.

Rosenblatt Leaves For Coast Jan. 19

(Continued from page 1)

the next Code Authority session slated for Jan. 23 in New York, this means that Rosenblatt, for the first time, will not attend.

No alternate has been appointed as yet, but one is expected to be named before he leaves.

Informal opinion at the Recovery Administration is that no one can alternate for Rosenblatt if Code Authority meetings are held in his absence. The rule is that government representatives shall have no alternates, but is not followed in all cases. If an exception is made in this case, Deputy Administrator Farnsworth would probably substitute.

Board Secretaries Only Will Be Paid

Only secretaries of the 64 clearance and zoning and grievance boards and not the other members of these boards will be paid when they are set, the Code Authority made known yesterday as a result of objections by Theatre Owners of Oklahoma, which was under the impression that certain members of the boards would be paid and others would not.

The unit protested, a wire from M. Lewenstein, president, said, because it wanted "simply to urge uniform treatment to all members of the boards."

Topeka Gets NRA Office

TOPEKA, Jan. 12.—Headquarters of the NRA district compliance board for Kansas, Colorado, Nebraska and western Missouri have been transferred to Topeka from Kansas City. John E. Wrenn, director of the district board, is in charge.

Code Assents Now 4,000

More than 4,000 code assents have been received by the Code Authority. The compliances are rapidly arriving and 18 days remain until the entire 20,000 must be put in the mails.

Yorke, West; Reeve, East

G. S. Yorke, advertising manager for Fox in New York, will leave next week to take over the duties of Arch Reeve, head of Fox's Hollywood publicity department. Reeve will arrive here in the near future to assume Yorke's former position.

Christie Starts Monday

Al Christie, who returned from the coast this week, resumes work at the Eastern Service Studios in Astoria Monday, when Educational's "The Expectant Father," with Ernest Truex, goes into production.

'Fashions' Girls Coming

Twelve maniquins of the cast of "Fashions of 1934" will arrive here by plane Thursday to attend the opening of the film that evening at the Hollywood. Orry-Kelly, screen fashion designer, will be in the party.

Theatre Union Files 38 New NRA Charges

(Continued from page 1)

held at the same time members of the new local held their first mass meeting in Bryant Hall, Levey stated. He said the additional charge was made that Springer & Cocalis employes were required to work from 56 to 70 hours weekly. Other complaints filed by the union yesterday alleged that several theatre operators who were said to be working employes 52 hours weekly were requiring them to sign payrolls which recorded only 40 hours work.

A hearing of the union's complaint filed with James H. Hodgson, regional NRA compliance board director, early this week, charging the Windsor circuit, Brooklyn, with working janitors 84 hours weekly, was postponed until next Wednesday after having been set originally for yesterday.

Representatives of the Windsor circuit told MOTION PICTURE DAILY yesterday that janitors and cleaners used in their theatres were not employed by them but by the American Building Maintenance Co., which contracted for the work and paid the people it used.

A second mass meting of the union's members is scheduled for next Tuesday night at Bryant Hall. Levey claims a membership of approximately 2,500 ushers, doormen and janitors at this time. He said that if the union is successful in enforcing the NRA's 40-hour week in metropolitan theatres 1,000 new jobs would be created here.

KMTA Awaits Reply To Rosenblatt Bid

KANSAS CITY, Jan. 12.—A. F. Baker, president of the Kansas-Missouri Theatre Ass'n., is still awaiting a reply from Sol A. Rosenblatt, division administrator, to his invitation to address a mass meeting of exhibitors in Kansas City. Baker extended the invitation about three weeks ago.

The association plans a meeting of exhibitors in this territory to clarify the code before assent forms are signed. If a mass gathering is not held, the association's board of directors will meet the place the association on record with respect to the code.

Cleveland Men for Code Reservations

CLEVELAND, Jan. 12.—General expressions favored signing of the code with reservations at a special meeting today of the Cleveland M. P. Exhibitors' Ass'n.

Hear Loew Case Jan. 16

WASHINGTON, Jan. 12.—Officials of the National Labor Board on Jan. 16 will hold a hearing in the case of Loew's State, New Orleans, charged with unjustly discharging four men, whom the regional labor board ordered reinstated. The theatre agreed to put back only two of the men.

Referee Cuts 15% of Para. Receiver Cost

(*Continued from page* 1)

Referee Davis recommended payment of $100,000 instead of the $125,000 asked by the law firm.

Charles D. Hilles, co-receiver with Adolph Zukor, and now one of three Paramount Publix trustees in bankruptcy, asked $30,000. The referee's recommendation clipped $5,000 off this and recommended that Hilles be paid $25,000. Zukor's petition for $23,047, of which $4,502 has been paid, was approved in full. The equity receivers also asked an additional $59,784 for expenses incurred as ancillary receivers for the company in California and Illinois. The referee's report recommended payment of $41,000 of this amount.

Legal Fee Cut $5,000

The $30,000 allowance asked for the law firm of Rosenberg, Goldmark & Colin, attorneys for Paramount, was reduced $5,000 by the referee. Cravath, De Gersdorff, Swaine & Wood, also attorneys for Paramount, had an allowance of $15,000 approved in full, while the allowance of Donovan & Raichle, attorneys, for $5,246, was trimmed to $4,000. A $15,000 allowance for O'Melvany, Tuller & Myers, Los Angeles attorneys, was clipped to $12,000 by the referee.

The remainder, smaller allowances asked for law firms handling ancillary receivership affairs in Illinois, Massachusetts, Connecticut, Texas, Ohio, California and New Jersey, and aggregating approximately $10,000 in all, were approved.

Samuel Zirn and Saul E. Rogers, attorneys for Paramount Publix bondholders' groups, who led the opposition against the receivers' petition for allowances when it was submitted originally to Referee Davis during December, will oppose final approval of the payments by the Federal Court next week, each said yesterday, despite the approximate reduction of $46,000 made by the referee.

Trustees Report Profit

Paramount Publix trustees in bankruptcy reported yesterday that, despite regular progress being made on adjustment of the $250,000 claim against the company, no definite plan of reorganization is yet in sight. They reported that the company has been operating at a profit for several months and has been aided importantly by foreign revenues which have been benefited by current rates of foreign exchange.

The trustees' statement came as a result of inquiries made of them concerning activities of Paramount certificates on the Stock Exchange yesterday. The certificates reached their highest level since being listed on the Exchange, rising 62½ cents a share to $2.62½, on an unusually active turnover of 117,500 shares.

Michalove Files Petition

Petitions for the payment by the trustee in bankruptcy of Publix Enterprises of $76,171 to Paramount Publix, and $15,000 to Dan Michalove have been filed with Referee Henry K. Davis and are slated to be acted on Jan. 22.

The Paramount Publix payment is for services rendered by various accounting, auditing and real estate staffs on behalf of Publix Enterprises from Jan. 30, 1933, to Dec. 23 last. The payment to Michalove, which is in addition to $7,950 already paid him, is for advisory services on theatre leases and holdings of the bankrupt rendered last year.

Once Upon a Time

Hollywood, Jan. 12.—A second-string actress was called into the portrait gallery of a studio on a picture taken for publicity purposes. Upon arriving she said:

"I am not in the mude" and the photographer retorted by saying:

"You mean you're not in the mood."

"Yes, something like that," she replied.

Foreclosure Asked On Brooklyn Houses

(*Continued from page* 1)

Inc., called for the purchase of the Valencia, the Pitkin and the Kings by the Loew organization for $11,000,000, to be paid over a period of 10 years. Foreclosure now, he said, would nullify that contract and would wipe out claims of creditors, including the holders of $2,000,000 in debentures. Flynn accused Manufacturers Trust, which he claims does not own a single bond, of seeking to foreclose for fees it might obtain. Hastings S. Morse, attorney for the bank, said in response:

"We are trustees under the bond issue. We have delayed five months to let them get together."

He said that the bondholders' committee requested in writing to foreclose and that appraisal of the three theatres mentioned by Flynn is $9,400,000, with liens of more than $14,000,000 against them. The argument on the motion to foreclose was postponed until Jan. 19 by Judge Inch.

Doug, Jr., Paris Bound

Douglas Fairbanks, Jr., leaves today for Paris aboard the *Ile de France* to attend the premiere of "Catherine the Great" at the Lord Byron Theatre on Jan. 19.

"Catherine the Great" was directed by Paul Czinner under the supervision of Alexander Korda with Elizabeth Bergner co-starring with young Fairbanks. It will be released here by United Artists.

Others aboard the ship are Mary McCormic and J. Carlos Bavetta, French manager for Fox, who has been in New York for conferences with Clayton Sheehan.

Preston Resigns Post

Lew Preston, managing director of the Academy of Music, has resigned because of ill health. The resignation is effective immediately, and Preston will leave today for an extended sea trip. His successor has not yet been picked.

New St. Louis Theatre Setup In the Offing

(*Continued from page* 1)

with F. & M. to turn over the Missouri on a partnership arrangement. F. & M. now operate the St. Louis and expect to close any day for the Fox. Receivers for the Fox are in New York completing the deal and are expected to return next week. In addition to turning over the Missouri to F. & M., Skouras will then negotiate a deal with Warners for the latter to run the Ambassador, it is understood on reliable authority. These deals will leave Skouras with the Grand Central, a grind house, now closed.

Warners are reported to be financially interested in the reorganization of Central States.

Mack Death Leaves Series Unfinished

(*Continued from page* 1)

York about two weeks ago in Mack's car. They motored south through Washington to Mississippi, and made stops in New Orleans and various Texas towns.

W. B. Franks, agent for the comedy team and Sennett representative here, had been receiving almost daily messages from them. A blowout was the cause of the accident and the car turned over. Mrs. Mack is in the South Side Hospital at Mesa, with a back injury. Sennett was badly shaken. The others were only bruised.

For the past four years Mack had made his home at Newhall, Cal. This last trip was for the purpose of starting work on his fourth Educational short.

Two Studios Offer Awards for Titles

Hollywood, Jan. 12.—Two major studios are now offering cash prizes for the best submitted titles for current pictures. Other companies are expected to follow suit.

Radio was the first to inaugurate this system, having attached a $50 cash incentive to employes on all title suggestions selected.

Fox is now giving workers a chance to pocket $25 every time a title is accepted.

Stage Shows Back in Pittsburgh Theatres

(*Continued from page* 1)

The first will be a tabloid version of the "Vanities."

No announcement has come from the Stanley, although Joseph Bernhard is due here Monday for conferences with Harry Kalmine, Warner zone manager.

Greenman Here for Rest

Harry Greenman, resident manager of the Fox, St. Louis, is in New York on his first vacation in three years. He will return west some time next week.

"Gallant" Is Buffalo High With a Show

Buffalo, Jan. 12.—"Gallant Lady" with a vaudeville bill took top honors here for the first week in Buffalo with a $22,000 gross. This is $7,000 over normal.

"Hoopla," with "The Student Prince" on the stage, was $1,100 up at the Hippodrome with a $11,100 gross. "By Candlelight" took a normal $10,000 at the Lafayette.

Total first run take was $58,000. Normal is $50,300.

Estimated takings for the week ending Jan. 12:

"GALLANT LADY" (U. A.)
BUFFALO — (3,500), 30c-55c, 7 days. Stage: Ralph Kirbery, Stan Kavanagh, Gordon, Reed & King, Peggy Taylor & Co. **Gross:** $22,000. (Average, $15,000).

"HAVANA WIDOWS" (F. N.)
"HELL AND HIGH WATER" (Para.)
CENTURY—(3,000), 25c, 7 days. **Gross:** $6,800. (Average, $6,000.)

"DINNER AT EIGHT" (M-G-M)
GREAT LAKES—(3,000), 25c-40c, 7 days, 2nd week. **Gross:** $7,900. (Average, $8,500.)

"HOOPLA" (Fox)
HIPPODROME—(2,100), 25c-40c, 7 days. Stage: "The Student Prince," with George Hassell, Madolyn Mayo, Charles Hedley. **Gross:** $11,100. (Average, $10,000.)

"FAREWELL TO LOVE" (Madison)
HOLLYWOOD—(300), 25c-40c, 4 days, 2nd week. **Gross:** $200. (Average, $800.)

"BY CANDLELIGHT" (Univ.)
LAFAYETTE—(3,300), 25c-35c, 7 days. Stage: Gene Sheldon & Loretta Fisher, Jack Starnes & Co., Forsythe, Seamon & Farrell, Tex Pickard & seal. **Gross:** $10,000. (Average, $10,000.)

Merian Cooper Goes Into 12-Day Quiet

Hollywood, Jan. 12.—Merian C. Cooper, now back at Radio Studios, has ordered that no one attempt to see him on business matters for two weeks.

The executive intends to spend the next 12 days doing nothing but reading and lining up stories for the new program.

Kansas Houses Reopen

Manhattan, Kan., Jan. 12.—Closed since Dec. 14 in protest against the Sunday show vote, three local theatres reopened last night following the request of merchants and the Chamber of Commerce. The mayor offered to permit Sunday shows provided they were censored by the parent and teacher association and that school children were barred from pictures not approved. The proposal was rejected and the theatres will operate six days a week.

Would Halt Car Raffle

Milwaukee, Jan. 12.—Raffling automobiles at the motor show, which opens here tomorrow, has been temporarily prohibited as result of action taken by Manning Silverman, local independent exhibitor, who charges violation of the lottery law. The Milwaukee Auditorium Co. has been ordered to show cause tomorrow why a permanent injunction should not be issued restraining the lottery.

"Henry" in Fifth Month

Paris, Jan. 12.—"The Private Life of Henry VIII," is now in its fifth month at the Lord Byron Theatre here.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 35. NO. 12 NEW YORK, MONDAY, JANUARY 15, 1934 TEN CENTS

26 Exchanges In New Lists Of Authority

South and West Send in 158 Recommendations

Among 158 additional names on the fourth list in the Code Authority's publicity campaign for recommendations to the 32 clearance and zoning and grievance boards only 26 exchange centers are represented. Des Moines, Memphis, New Orleans, Omaha, Salt Lake City and New Jersey are not heard from. Suggestions from Little Rock, Ark., and Tampa, Fla., are included in the list, but since these are not sales points the names will be added to the Memphis and Atlanta groups.

For the first time since the recom-

(*Continued on page 4*)

Free Postage Denied To Code Authorities

WASHINGTON, Jan. 14. — Code authorities are not entitled to the Government franking privilege, it has been held by the Third Assistant Postmaster General, it being pointed out that chairmen of code authorities are elected by the industries and "not appointed as officers of the Government and receive no pay from the government."

"Chairmen of code authorities are not entitled to exercise the penalty

(*Continued on page 4*)

Chicago Allied to Talk Code Further

CHICAGO, Jan. 14.—Allied exhibitors, having been unable to come to a decision on signing the code at a meeting last week, will get together again in about 10 days for further discussion.

While it was apparent at the meeting held at the Congress that a nod from Allied leaders is all that is necessary to get exhibitor action either way, Aaron Saperstein is emphatic in his declaration this is one time the

(*Continued on page 4*)

On Cold Standard

Hamilton, O., Jan. 14.—When checking a box-office statement at the Paramount, which was not so forte on account of sub-zero weather, Marc Wolf, manager, observed: "Anyhow, winter isn't off the cold standard."

Authority to Name Secretaries

Code Authority has ruled appointment of paid secretaries for local grievance and clearance and zoning boards will be named by it, following recommendations for such posts filed by the personnel of the boards themselves.

It follows obviously, therefore, that no action on paid secretaries can be made until the 64 boards are first named.

Recommendations from any industry source for appointments on grievance and clearance and zoning boards under the code must be in the mail and postmarked not later than midnight, Jan. 20.

Code assent forms, without qualification, must be in the mail and postmarked not later than midnight, Jan. 31. Qualifications go before local boards, when operative.

All correspondence should be addressed to John C. Flinn, executive secretary of Code Authority, Paramount Building, 1501 Broadway, New York City.

Trade Board Sends F. W. C. Report to NRA for Action

WASHINGTON, Jan. 14.—The Federal Trade Commission has forwarded memoranda covering an investigation of alleged unfair trade practices of certain film companies on the coast to the National Recovery Administration for use in administering the code; to the Attorney General for consideration in connection with a consent decree against these companies, and to the chairman of the Senate Committee on Banking and Currency.

The commission's investigation followed the receipt of complaints to the effect that certain companies on the coast were violating the commission's orders to cease and desist and were

(*Continued on page 4*)

Detroit Film Combine Sued For $180,000

DETROIT, Jan. 14.—Suit for $180,000 damages against Mid-States, every member individually and the organization, was filed in the U. S. District Court yesterday by former Judge Charles Bowles, attorney for Detroit Neighborhood Theatres, Inc., operating the Oriole, a Sam Brown house.

It is charged that the combine, and particularly Frank A. Wetsman, operator of the Lindwood-LaSalle, conspired to stifle trade, and prevent open, competitive bidding in the market by independent theatres, in violation of a provision of Section 7, of the Sherman Act and Section 4 of the Clayton Act, which provides three-fold damages. The individual members were named because they "selected

(*Continued on page 8*)

Detroit Strike by Ushers Is Averted

DETROIT, Jan. 14.—A threatened strike of union ushers in the Publix theatres here was averted when George W. Trendle reached an agreement with the union which permits the use of girl ushers in four neighborhood houses.

The boy ushers walked out of the Publix houses, but were back again before 6 P.M.

Trendle said he wanted the girl ushers in the neighborhoods because so many children attended them.

Coast Production Shows Slight Gain

HOLLYWOOD, Jan. 14.—Production for the week ending Jan. 13 showed a gain of one feature and six shorts over the preceding week. Pictures in work for the week show 27 features and 11 shorts. There were also 32 features in final stages of preparation and 38 in the cutting rooms. In the short subject division there are 15 shorts

(*Continued on page 12*)

20th Century Last To Agree on Stills

HOLLYWOOD, Jan. 14.—Twentieth Century has at last yielded to the submission of stills and advertising campaigns for the local Hays office censoring. Other independents, including Monogram and Majestic, have already lined up with the parade, making it unanimous among all producers submitting to requirements along this line.

Move on Foot To End Duals In St. Louis

Subsequents Approach First Runs on Plan

ST. LOUIS, Jan. 14.—A move is on foot to eliminate duals in this city. A number of subsequent run theatre men have approached the first run houses proposing a plan for the extinction of the twin bills. The Fox, which eliminated its orchestra recently and added another feature in its stead; the St. Louis, and occasionally Loew's State are the first run dual houses.

The first runs have agreed to drop the second feature provided the subsequent runs make a similar move first. While no definite decision has

(*Continued on page 4*)

Important Shifts in Field Made by U. A.

Several important shifts in the executive field sales set-up have been made by United Artists, effective immediately. Sam Horowitz, formerly district manager with headquarters in Kansas City, has been named manager of the Chicago office, succeeding Thomas Montgomery, who continues as salesman. Jack Goldhar, until recently district head at Detroit, is now assistant to the western division manager. Charles Stern, formerly district manager in New York, is now as-

(*Continued on page 8*)

Ohio Showmen Seek End of Ticket Tax

CLEVELAND, Jan. 14.—When the Ohio Legislature meets the end of January, legislators will be asked to recall the 10 per cent amusement tax which includes a tax on all admissions over 10 cents, and to substitute for it a small general sales tax.

Theatre owners claim that the nuisance tax was passed to raise money

(*Continued on page 8*)

1934 Model

Ed Fay, Providence showman, who strikes a neat balance in dividing his time between his home town, New York, and Boston, says he's now operating a second run theatre, but with first run overhead.

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Market Shows Slight Slump

	High	Low	Close	Net Change	Sales
Consolidated Film Industries	3¼	3¼	3¼	— ¼	100
Consolidated Film Industries, pfd	13⅜	13	13	— ¼	200
Eastman Kodak	80½	80⅛	80⅛	— ⅜	300
Fox Film "A"	13¾	13½	13½	— ¼	200
Loew's, Inc.	27¼	26⅝	26⅞	— ⅛	1,100
Pathe Exchange	1⅝	1⅝	1⅝	.....	100
Pathe Exchange "A"	11¼	10⅞	10¼	— ½	200
RKO	2½	2½	2½	+⅛	100
Universal Pictures, pfd	19¾	19¾	19¾	+2⅜	10
Warner Bros.	5½	5¼	5½	.....	1,000

Technicolor Off ¼ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	8	8	8	— ¼	100

Paramount F. L. Bonds Jump One

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	5	5	5	— ½	1
General Theatre Equipment 6s '40 ctf	5	5	5	+ ½	2
Keith, B. F., 6s '46	52¾	52½	52½	— ¼	4
Loew's 6s '41 ww deb rights	89⅞	87½	89⅞	+1⅜	27
Paramount Broadway 5½s '51	35¼	34½	34½	+ ½	8
Paramount F. L. 6s '47	35½	34⅝	35½	+1	10
Paramount Publix 5½s, '50	36	35¼	36	+1½	35
Warner Bros. 6s '39 wd	43½	42⅝	43⅛	— ⅜	16

Year's Canada Film Footage 25,000,000

TORONTO, Jan. 14.—Colonel John A. Cooper, president of the distributors' organization, says 700 theatres in Canada used 25,000,000 feet of film last year. All of it was printed in Canada, giving employment in one film manufactory and two laboratories.

The number of persons employed in laboratories, exchanges and allied enterprises in the Dominion is approximately 1,000, while the number in theatres is in excess of 5,000. The total annual payroll last year was $10,000,000.

It is estimated that the investment in exchange buildings and theatres is nearly $75,000,000.

"Rouge" Caravan to Start Trip Feb. 2

The "Moulin Rouge Caravan" will start its coast-to-coast tour from Washington on Feb. 2, instead of from New York, as was originally planned.

Upon leaving Washington, the caravan will visit the following cities: Baltimore, Feb. 3; Philadelphia, Feb. 5; New York, Feb. 6 and 7; Providence, Feb. 9; Boston, Feb. 10; Albany and Syracuse, Feb. 12; Rochester and Buffalo, Feb. 13-14; Cleveland, Feb. 15; Detroit, Feb. 16-17; Chicago, Feb. 19-20; Milwaukee, Feb. 21-22; Indianapolis, Feb. 23; St. Louis, Feb. 24-25-26; Kansas City, Feb. 27-28. From there the party will go on to San Francisco and Los Angeles.

Batcheller Starts Film

HOLLYWOOD, Jan. 14. — George Batcheller's next for Chesterfield release will be "The Understanding Heart," a story of men and women past their prime, by Robert Ellis. Charles Grapewin and Emma Dunn will have the principal roles. Production starts tomorrow at Universal with Richard Thorpe directing.

Actors' Ball Big Success

HOLLYWOOD, Jan. 14.—The Actors' Guild Ball Saturday night was one of the outstanding social events of the Hollywood season. Rudy Vallee was master of ceremonies and many top-notch stars contributed to the entertainment. At $12 a ticket, the function was a sellout. About 1,200 attended.

Griffith Goes to Dallas

DALLAS, Jan. 14.—R. E. Griffith, operating Westland Theatres Co., throughout Colorado, and R. E. Griffith Theatres, Inc., in New Mexico and Texas, has moved from Denver to Dallas, where he is establishing offices.

Wisconsin Rule Reversed

MILWAUKEE, Jan. 14.—Judge F. A. Geiger has reversed without prejudice Referee M. J. Knoblock's ruling in the Fox Wisconsin and Wisconsin Amusement cases, pending filing of a plenary suit against the companies by C. H. Benton, Statewide trustee.

Milt Kusell on Trip

Milt Kusell, eastern captain in the Paramount Victory Drive, leaves either today or tomorrow for New England and other exchanges in connection with the drive. He was slated to go last week.

Liberty Picks Third

HOLLYWOOD, Jan. 14.—"Take the Stand" will be the third in a series of eight features to be produced by Liberty Pictures Corp., headed by M. H. Hoffman. It will be put into work soon at the Pathe studios.

Youngstown Para. Open

YOUNGSTOWN, O., Jan. 14. — The Paramount, dark several months, has been reopened with a straight first run policy.

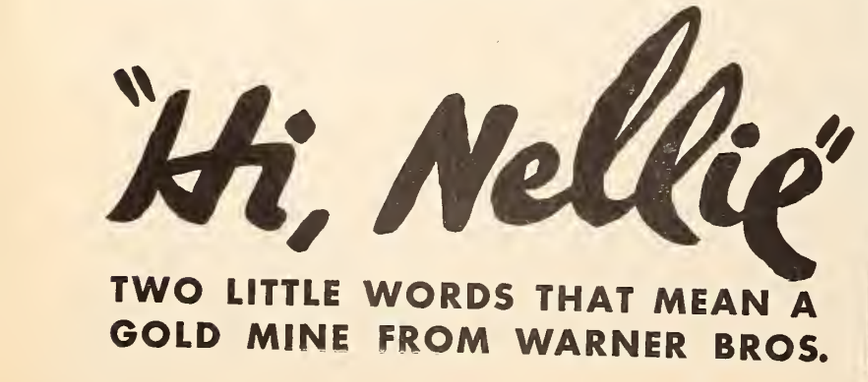
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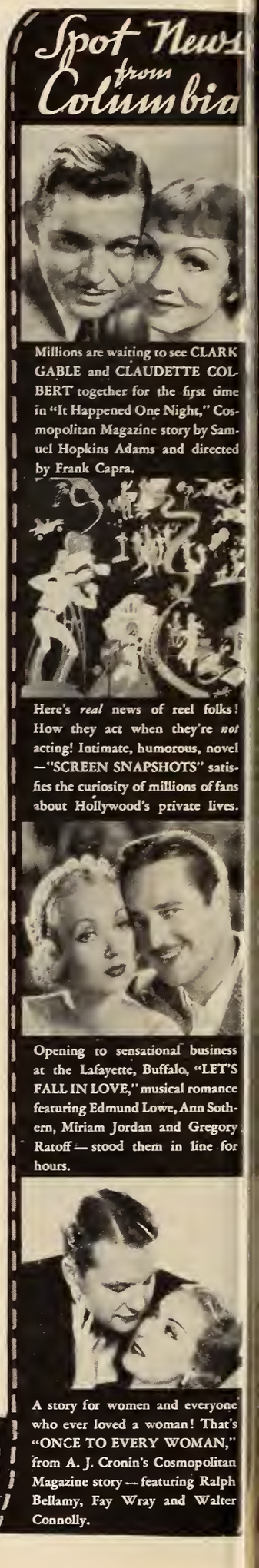
CARL LESSERMAN, assistant to GRADWELL SEARS, Warners southern and western sales head, and S. CHARLES EINFELD, advertising and publicity director, return from Dallas today.

FRED MAYER of Universal has his first personal accessory. He was born Friday in the Park West Hospital, weighs six pounds, and will be called JOHN STEPHEN MAYER. Mother and baby are doing nicely.

EDWARD BONNS nursed a bad cold over the week-end, but expects to get back to his desk today.

TRIXIE FRIGANZA will start a week's engagement at the Roxy next Friday.





MASSACRE



SAVAGE BLOOD RUNS WILD AGAIN!

. . . THANKS TO WARNER BROS.

26 Exchanges In New Lists Of Authority

(Continued from page 1)

mendations have been pouring in a member of Code Authority has been suggested for a post. He is Nathan Yamins, but is automatically disqualified because of his present duties on the authority.

Noted in the latest batch of names are a number of independent exchange managers. At Albany, William Raynor and B. H. Mills were suggested; Chicago, Irving Mandell and Henri Elman; New York, Jack Bellman and Harry Thomas; Philadelphia, Al Blofson; Pittsburgh, A. H. Schnitzer; Atlanta, A. C. Bromberg.

Also included in the lists from exhibitors and exchange forces are the names of secretaries of Film Boards of Trade.

Some of these names have been included in previous lists, but are repeated because recommended by different groups.

The fourth list is complete as follows:

Albany—William Raynor, Morris Shulman, Harry Hellman, Jacob Rosenthal, B. H. Mills, Henry Frieder, Maurice Kronick.

Atlanta—M. C. Howard, W. T. Murray, Adolph Samuels, Capt. James A. Rebb, A. C. Bromberg, Fred Weis, L. D. Joel, Charles Hughes.

Boston—Nathan Yamins, Al Somerby, Martin Tuohey.

Buffalo—M. E. Comerford, John Osborne, Nicholas Basil, Stanley Kozenowski, Byron Inderbitzen.

Charlotte—E. L. Hearne, L. C. Sipe, J. E. Simpson, T. A. Little, Mrs. Marian Wrenn.

Chicago—Henri Elman, M. Rubin, Andrew Cuser, L. W. Mandel, S. Schlaes, Harry Foster, Mrs. Paley.

Cleveland—Julius Schwartz, Jerry Steele, Maurice Kaplan, I. J. Schmertz.

Cincinnati—William Onie, Sam Lind, Andy Hettesheimer, Wm. Chesborough, Allen Moritz, Wesley Huss, Jr.

Dallas—Eph Charninsky, Leon Lewis, Jack Lilly, B. Legg, Rubm Frels, William Shields Tyler, W. G. Underwood.

Denver—James R. Keitz, H. A. Goodridge, F. H. Hoppen, Harry Marcus, Earl Kerr, Burns Ellison.

Detroit—Henry Zapp, David Idzal, Dan Thompson, Lester Matt, George Wilbur.

Indianapolis—M. Mazur, L. W. Marriott.

Kansas City, Mo.—Ray M. Wilson, Earl Blackman, John McManus, Harry McClure.

Little Rock, Ark.—James Rodgers, R. V. McGinnis, James Augustine, T. W. Sharp, W. E. Sipe, L. F. Haven, J. M. Ensor, W. M. Reeves.

Los Angeles—William Rider, Joe Leo, George Bromley, Lou Metzger, Robert Whitson, W. W. Wimquist.

Milwaukee—W. Weinshenker, Martin Thomas, John Homthaner, W. Silcock.

Minneapolis—C. O. Roeder, H. O. Mugridge, J. Stern, Louis Rubenstein, L. E. Goldhammer, Gilbert Nathanson, John J. Friedl, Eddie Ruben.

New Haven—Leo Bonoff, Martin Kelleher, Jack Fishman, R. W. Cobe, Arthur Lockwood, Morris Jacobson, Leo Ricci.

New York—J. C. Kroesen, Jack Bellman, Harry Pear, Harry H. Thomas, Leon Rosenblatt, Sol Saphire.

Oklahoma City—Sam Caporal, H. J. Buchanan, Orville Enloe, P. R. Isley, E. G. Kadane, W. P. Moran.

Philadelphia—Al Boyd, A. J. DiFiori, Al Blotson, George Gravenstine.

Pittsburgh—A. H. Schnitzer, Sen Frank Harris, Harry Fleishman, William Lipsie.

Portland—Howard Mapes, John Hamrick, Andrew Sasso, Harry Aiken, Oscar Seltzer, C. J. Farnes, Ray Stumbo, George Appleby.

St. Louis—Francis R. Stout, Barney Rosenthal, Harry Greenman, Nat E. Steinberg, Dave Nelson.

San Francisco—Floyd St. John, Henry Goldenberg, M. L. Markowitz, Morris Gallos, Mel Hulling, Herman Cohen, R. Harvey.

Seattle—Paul Aust, A. H. Huot, Harry Black.

Tampa—Arthur C. Bromberg, Mitchel Wolson, L. D. Joel, Ben Stem, M. C. Moore.

Washington—Harry Brown, Isadore Rappaport, William Hicks, A. Lichtman, George Gill, Sam Benchenn, Jr., Herman Hable, Max Cluster.

Trade Board Sends F. W. C. Report to NRA for Action

Room for a Code

Hollywood, Jan. 14.—Repeal has created such a frenzied state of competition between Agua Caliente and the southern part of California that the former is broadcasting wine and liquor prices ranging from 40 to 60 per cent below the prevailing prices in the states. Agua, now a free zone in Mexico, has even gone so far as to include American cigarettes, offering them for sale, duty free, at five cents a package of 20's, and a proportionate reduction in Corona cigars. Locals aver that another stream of bargain hunters will be flowing over the border.

Free Postage Denied To Code Authorities

(Continued from page 1)

privilege for the reason that they are not officers of the government of the United States and also because matter which they have to mail in connection with their activities as such chairmen does not relate exclusively to the business of the Government, as is required by the law governing the exercise of the penalty privilege," it was held. "Of course, the local code authorities are not entitled to such privilege."

Chicago Allied to Talk Code Further

(Continued from page 1)

association will not function in advising its members.

"I made it clear at the first meeting that every exhibitor must act for himself when it comes to signing the code," Saperstein said. "The association cannot do it for him, nor does it intend to direct his action in this matter."

Committee of Five

The executive committee for studio extras, sitting in Hollywood, will be made up of five, Code Authority declared on Saturday in New York. The personnel includes Mabel E. Kinney, M. H. Hoffman, B. B. Kahane, Charles Miller and Larry Steers.

McDonough Goes West

J. R. McDonough, general manager of RKO, left for the coast yesterday, but will spend a few days in Chicago on Orpheum Circuit business before hopping The Chief into Los Angeles.

Superior to Start Series

Superior Talking Pictures, Inc., will start the first of a series of 12 featurettes this month. The initial number will be "Tarzan, the Police Dog."

(Continued from page 1)

carrying on other practices said to be unfair to independent theatre owners.

Orders to cease and desist were issued in May, 1929, against West Coast Theatres, Inc., and other companies and individuals controlling more than 100 theatres in California. There were two separate orders, one against the West Coast combination in northern California, and one against the Southern California combination. The orders directed West Coast and its associates, among other things, to discontinue combining among themselves to compel distributors and producers of films to refuse to sell or lease films to competitors of West Coast Theatres, Inc.

In its findings, the commission stated that West Coast Theatres, Inc., by the purchase and construction of theatres, by contracts with competitors eliminating competition, by making partnerships with competitors, had steadily progressed toward greater domination of the theatre field in California, such dominating strongly tending toward monopoly in that state. West Coast was found to have been especially dominant in the first run field.

Following the issuance of these orders, the commission, at various times, has received complaints that West Coast has not been complying, and has, in fact, been practicing other methods of competition reported to be unfair to independents. Each complaint has been carefully investigated.

Now in Receivership

In the meantime the West Coast companies have been taken over by Fox interests, have become known as Fox West Coast Theatres, and are now in the hands of receivers. In August, 1930, a consent decree was entered into between West Coast Theatres, Inc., together with a number of producers, and the Department of Justice, the decree prohibiting some of the same practices forbidden by the commission's order, and charged in the information filed by the Department of Justice as being in violation of the Sherman Anti-Trust Law.

"Considering these developments as well as the fact that the NRA code has been adopted and placed in operation, the commission, for the time being, has taken no further action and is forwarding the results of its investigations to the other agencies for whatever use they may make of them," it was stated.

The commission's investigation does not involve violations of the code, it was learned. The basis of the commission's report to the NRA and the Justice Department is said to be practices considered as possibly in violation of the anti-trust law. Inasmuch as West Coast is in receiver's hands, the commission felt that the situation is somewhat embarrassing and relieved itself of responsibility by turning the case over to other branches of the government.

The Justice Department is understood to be making an investigation of its own, to check up on the commission's report, through its own agents and district attorneys in California.

Move on Foot To End Duals In St. Louis

(Continued from page 1)

been reached in this respect, it is anticipated that within the next few weeks St. Louis will be rid of the two feature evil.

Because of the stringent rules of the stagehands' union, stage shows here will be limited to the Ambasador and the St. Louis. The union requires two complete shifts of men at $75 a week for each employe.

Guild Appeals for New Extra Members

HOLLYWOOD, Jan. 14.—In their appeal for quicker action to get the extra players lined up 100 per cent with the Junior division of the Screen Actors' Guild, the latter has informed leading organizers of this group of a wire received from Eddie Cantor, which reads:

"Despite the fact that we have most of the important stars in the Screen Actors' Guild, the largest percentage of our membership must come from the extras and bit players. Our greatest work must be to protect the latter groups. To this end I pledge myself and shall not rest until the problems are solved."

Denver's Musicians Stagger Jobs Feb. 1

DENVER, Jan. 14.—Denver musicians plan to put the stagger work plan into effect Feb. 1. Plans call for the formation of another orchestra, which will play for a week each month at the Orpheum and the Tabor. The plan has been delayed here because of the scarcity of competent musicians.

Officers elected for this year by the musicians include most of the old ones, and are: Michael Muro, president; G. A. Foster, vice-president. F. J. Leibold, recording secretary, and John Herr, financial secretary.

Theatre Help Joins San Francisco Union

SAN FRANCISCO, Jan. 14.—About 200 ushers, cashiers, matrons, treasurers and junior executives have joined the Theatre Attendants' Union here sponsored by the Labor Council.

John A. O'Connel, secretary of the Labor Council, and officers of the union, are trying to get an A. F. of L. charter and recognition from theatre operators.

ITOA Seeks Offices

New offices are being sought by the I.T.O.A., which is now ensconced on West 44th St. in a building owned by Sam Cocalis of Springer and Cocalis circuit, which was recently ejected from the unit because of non-payment of dues.

Balcon to Visit

LONDON, Jan. 14.—Michael Balcon, British producer, plans a visit to New York late this month or early next.

Blazing Action

. . . GEARED TO BLAST THE ICICLES OFF EVERY POCKET-BOOK IN AMERICA . . . .



MAKE YOUR SCREEN AN ARENA OF WHIRLWIND THRILLS WITH DICK AS A FIGHTING RED MAN HURLING DEFIANCE AT HIS WHITE FOES

Warner Bros. exploitation crew is coming thru with a grand rush for "Massacre". Dozens of practical show ideas, flash street stunts, two-fisted ads and stories will be found in the big merchandizing campaign, soon available at all Warner Bros.—First National Exchanges—all emphasizing the showy Indian atmosphere and smashing action of this unusual attraction.



I LIKE IT T

WHAT a title for a showman to play with!... and what a picture!... It's the snappiest screen show that's come out of Hollywood in months... A down-to-earth story with up-in-the-sky embellishments!... Girls and gags and whirligigs—all a colorful part of the human drama of the romance between a wise-cracking insurance salesman and his night club-hostess sweetie — with EVERYTHING added to make it bang-up BOX-OFFICE ENTERTAINMENT



SINGING!
DANCING!
WHOOPEE!



HAT WAY

Starring

GLORIA STUART

and

ROGER PRYOR

(of "Moonlight and Pretzels" fame), with

MARIAN MARSH

Shirley Grey, Onslow Stevens, Lucille Gleason, Mickey Rooney, Eddie Gribbon, Merna Kennedy, Mae Busch. Story by Harry Sauber. Screenplay by Chandler Sprague and Joseph Santley. Dances staged by Max Scheck. Songs by Conrad, Mitchell and Gottler. Directed by Harry Lachman.

A Stanley Bergerman Production

—Another success from

U N I V E R S A L



DRAMA! ROMANCE! COMEDY!

Detroit Film Combine Sued For $180,000

(*Continued from page* 1)

leaders recklessly, and their buying power assisted in the result."

Ray Moon, general manager of Mid-States, was not available for a statement.

DETROIT, Jan. 14.—Two more theatres, the Michigan and Richards, Flint, quit Mid-States Theatres, booking combine, effective last Saturday.

Pitt Sets Back Its Opening to Mondays

PITTSBURGH, Jan. 14.—The Pitt, which has been opening on Fridays, has switched to Mondays, making it the only first run to open at the beginning of the week. Aside from the Fulton, which opens on Thursday, Pittsburgh's other first runs, Stanley, Penn, Warner and Davis, get away on Friday.

In addition, the Pitt has also raised its matinee price, from 1 P. M., to 6 P. M., from 25 cents to 35 cents. The night scale, however, remains the same, 40 cents.

Legislator Against Virginia Ticket Tax

RICHMOND, Jan. 14.—Opposition to any attempt to impose a 10 per cent ticket tax in this state will be forthcoming from Wilbur C. Hall, one of the Democratic leaders in the House. It had been reported that he would sponsor a tax bill.

The newly formed Virginia M. P. T. O. is lining up against any proposed theatre tax.

Important Shifts in Field Made by U. A.

(*Continued from page* 1)

sistant to the eastern division manager.

The only district heads remaining as such are Haskell Masters, Canada, and E. J. Smith, Los Angeles.

Form Cascabel Company

DOVER, Jan. 14.—Cascabel Amusement Co. has been chartered here. The incorporators are Benjamin Seligman, Hannah S. Topkis and Emili V. Topkis of Wilmington. Seligman is manager of the Strand, an independent house in Wilmington.

Remodel in Clarksdale

CLARKSDALE, Miss., Jan. 14.—Remodeling of the Strand has been started. The theatre will be owned and managed by Charles J. Collier of Drew, Miss. It has a seating capacity of 600.

George Schaefer Returns

George J. Schaefer returns today from Dallas, where he attended the Hoblitzelle circuit convention. Stanley Waite will visit Oklahoma City and San Antonio before returning to New York.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Strange Holiday"

(*Paramount*)

HOLLYWOOD, Jan. 14.—This is a distinctive, out-of-the-ordinary production. Box-office values blend eerie appeal with artistry for ballyhoo purposes.

The story's daring premise depicts the Prince of Death returning to earth for a strange three-day holiday to make merry and discover why mortals fear him. On earth he learns the power of romance and beauty, falling in love with a young girl. With but a few minutes to decide whether to return to his kingdom alone, or with his love, the girl decides.

Combining the drawing power of "Frankenstein" and "The Invisible Man," "Strange Holiday" haunts with its dip into the unseen and pulls the heart strings with the dilemma of the young girl, desiring life and loving the Prince of Death.

Fredric March as the Prince gives a Jekyll and Hyde performance, leaving little to be desired. Evelyn Venable, the girl embarking on life, is refreshingly attractive. Sir Guy Standing gives a finished portrayal. The remainder of the cast, with Kent Taylor, Gail Patrick, Katherine Alexander, Helen Westley and others, gives competent portrayals.

The production establishes a macabre mood, maintaining and sustaining the interest in dramatic climaxes that thrill.

Mitchell Leisen's direction from the screen play by Maxwell Anderson and Gladys Lehman is intelligent and skillful.

The weird basis of the plot, the strange love story and the value of March's name, and talk bound to be created should send this across if showmen do their stuff.

"A Woman's Man"

(*Monogram*)

HOLLYWOOD, Jan. 14.—"A Woman's Man" is another interpretation of what goes on behind the scenes in the typical Hollywood studio and is well-handled by Director Edward Ludwig from Frances Hyland's screen play of Adela Rogers St. John's *Cosmopolitan* story of the same name.

Selection of such names as John Halliday, Marguerite De La Motte, Wallace Ford, Kitty Kelly, Jameson Thomas, Tommy Dugan and others results in bringing to the screen a refreshing piece of entertainment, sparkling with smart dialogue, yet not sophisticated. Natural situations by their sheer authenticity evoke much laughter and suspense until the final frame.

The story is centered around a temperamental star (Miss De La Motte) who causes unending trouble for her director (John Halliday). When things point to normal, the star walks off the picture to do a little love making with a prize fighter, played by Wallace Ford. Her pal, Kitty Kelly, who acts as maid, bodyguard and mother confessor, furnishes the contrast between a dumb dora and a smart girl. However, life with all principals becomes a series of laugh-provoking misunderstandings. Prize fighter loses the fight. Star comes to her senses and this brings them together for the finale. The picture is good program release with appeal for all classes of audiences.

"Legong"

(*Bennett Prod.*)

HOLLYWOOD, Jan. 14.—Here is told the story of Bali in the South Seas and the Dance of the Virgins by means of color photography, with synchronized sound and interpolated music.

Henri de la Falaise, associate producer, labored for some months with a camera crew in this South Sea beauty spot to bring back this opus for Bennett Prod. The story is based on the folk lore of the island. If a virgin has love in her heart for a boy who has love only in his eyes, and his eyes stray to another—in this case the girl's sister—then the first virgin is shamed before the tribe, and, as here depicted, jumps from a bridge and is later cremated.

Its beautiful legend of native customs is portrayed artistically, with the girls gently revealing their charms. The photography gives color to the physical aspects of the picture. A native cock fight, religious dances and temple rites add verve, if not novelty.

The Balinese leading woman and her sister have the twin delights of grace and loveliness. Otherwise, the production is of program calibre.

(*Additional reviews on page* 10)

Radio and Warners Agreeing on Loans

HOLLYWOOD, Jan. 14.—Radio and Warners are getting together better these days in the matter of loaning players.

Because Ginger Rogers was unable to return to Radio for a top spot in "Hot Air," due to an over-stay at Warners for "Upper World," the latter studio has loaned Ann Dvorak for the part.

Several weeks back Warners refused to loan players to Radio on three consecutive occasions.

Working Agreement On Union Deal Set

CHICAGO, Jan. 14. — A working agreement for 1934 with the operators' union has been signed by Jack Miller of the Chicago Exhibitors' Ass'n and Aaron Saperstein, head of Allied of Illinois.

Virtually the same scale and conditions in effect last year are contained in the new agreement, except as the NRA affects working hours.

Ohio Showmen Seek End of Ticket Tax

(*Continued from page* 1)

for poor relief and for school relief. Since its passage, the CWA has taken more than 50 per cent off the relief roll. This, it is claimed, cuts down much of the necessity for the special tax. The remaining requirements, theatre owners state, can be adequately and more fairly taken care of by a general sales tax, they insist.

Schader Sandusky Mayor

SANDUSKY, O., Jan. 14.—Geo. J. Schader, one of the best known exhibitors in this section, who operated a small circuit of houses here prior to his recent retirement, has been elected president of the City Commission, which makes him mayor under the city charter. He is serving his fourth term as commissioner.

Topeka Orpheum Reopens

TOPEKA, Jan. 14.—The Fox Orpheum has been reopened here with "The Power and Glory." The policy is first runs, two changes weekly. The price is the lowest for first runs in Topeka, 20 cents top matinees and 30 cents top nights. Clyde Anderson is the manager.

Remodel Alamosa House

DENVER, Jan. 14.—J. J. Goodstein, owner of theatres in Philadelphia and Pueblo, has remodeled the Opera House at Alamosa, Col., back into a theatre, and has named it the Palm. The building had been used as a store building for some time.

Harris Goes to Roach

HOLLYWOOD, Jan. 14.—Ray Harris, formerly of Paramount, has joined the Hal Roach scenario department. His first assignment will be the continuity for "Babes in Toyland."

Lugosi Back to Stage

Bela Lugosi will assume the star role in Sam Warshawsky's play, "Pagan Fury," which is slated for spring production.

Eric Charell
Charles Boyer

FOX welcomes you to America!

and all America will welcome your genius!

Erik Charell, producer of international fame! Charles Boyer, outstanding dramatic figure of France! Joining their genius under the FOX banner . . . to give America a glorious new entertainment thrill. Two more brilliant personalities added to the resplendent FOX roster. Further evidence that FOX is ever alert to add glamour to your box office!

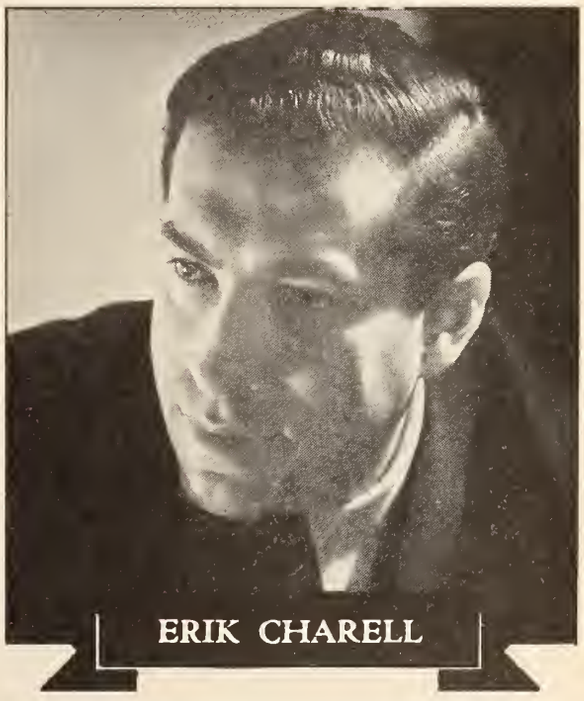


CHARLES BOYER

To appear in Erik Charell's first American production . . . which will bring to the fore all the mysterious glamour that radiates from this magnetic personality.

•

Foremost romantic and dramatic personality of the French stage and screen. Starred in the French stage success: "Le Bonheur"; "Melo"; "Le Venier"; "La Gallerie des Glaces". Starred in many motion picture hits . . . among others: Erich Pommer's epochal "Liliom" in French.



ERIK CHARELL

Here to make productions typical of the amazing vitality, originality and appeal which characterize his sensational Continental successes.

•

Producer of "White Horse Inn", current hit of all Europe (now in its 3rd year in Paris, its 2nd in London). Max Reinhardt's associate in "The Miracle". Successfully produced "The Merry Widow", "The Three Musketeers", "Madame Pompadour", many other hits, in Berlin's Grosses Schauspielhaus.

FOX

• Looking 'Em Over •

"I Was a Spy"

(*Gaumont British-Fox*)

An intriguing effort, entertainingly handled by all concerned. The picture presents to American audiences for the first time Madeleine Carroll, an accomplished actress, whose performance here is a distinct credit. In addition, Herbert Marshall and Conrad Veidt also contribute capital work. Victor Saville directed. A Roxy audience enjoyed it.

Suggested by the title, the story deals with the British espionage system in Belgium at the time of the German invasion during the World War. Miss Carroll is enlisted into the service because she is employed in a hospital used by Germans. There she meets Marshall, also a spy, and in short order they fall in love. Working hand in hand, the two manage to secure valuable information which causes havoc with the Germans. Veidt, the commandant, in love with Miss Carroll, forgets himself in a frenzy of passion and divulges some of the important moves of his forces.

Ultimately, Miss Carroll is arrested. On trial she refuses to reveal her aide, even at the price of going free. She is sentenced to death, but rather than see her put before the firing squad, Marshall confesses. He is put to death and the heroine goes to prison. Her term there is cut short by the evacuation of the Germans for Allied forces.

"Big Time or Bust"

(*Capitol*)

Little of originality is to be found in "Big Time or Bust," a Tower production. The story it tells has been repeated so often that it has lost much of its edge. However, there is some good acting and some good sets, a number of them more or less sumptuous, to give the film modest drawing power at neighborhood houses.

Regis Toomey is a high diver, and Gloria Shea, his wife, is his assistant. The team breaks up when Miss Shea gets a job in a New York night club. Eventually she reaches stardom on Broadway. Toomey, virtually living on her earnings, is jealous of the attentions of other men to her. In despair he goes back to his high-diving work, resolved to plunge to his death during his performance. Only the sudden appearance of Miss Shea at the foot of the ladder, cheering him on as in the old days, turns him from the idea of ending it all. The fadeout finds them vowing to team up again as in the old days.

The acting is commendable. Also in the cast are Walter Byron and Edward Maxwell. Sam Newfield did a routine job of directing.

"Public Stenographer"

(*Showmen's Pictures*)

Fairly entertaining melodrama which would go nicely on a dual program. Lola Lane, a public stenographer in a hotel, falls in love with William Collier, Jr., a construction engineer. When her fiance leaves for Cincinnati to settle a former love affair, Miss Lane misunderstands the mission. Esther Muir, Miss Lane's friend, secures the stenographic notes taken by the heroine from Collier, and sells them to Jason Robards, the heroine's ex-fiance and competitor of Collier.

Before Robards has a chance to translate the notes, Miss Lane secures them by a ruse and everything ends to the satisfaction of all. Also in the cast are Richard Tucker, Al St. John, Bryant Washburn, Duncan Renaldo and Al Bridge.

"West of the Divide"

(*Monogram*)

This is a variation of the ranch-stealing, cattle-rustling formula with three spectacular fist fights and four good chases, and a mild romance with John Wayne and Virginia Brown Faire as the lovers.

Wayne and his pal, George Hayes, who, by the way, knows his stuff as a portrayer of western roles, show up in a California valley intent on solving the mystery of who murdered Wayne's parents. After a series of adventures they discover Lloyd Whitlock is the man and that he and his gang are still playing tricks. In addition to occupying Wayne's ranch they are plotting to get Whitlock's place as well. Whitlock is Miss Faire's father.

The story and direction are by R. N. Bradbury. Both are better than average.

Reviews On Shorts

"Manhattan Lullaby"

(*Educational*)

Starring Helen Morgan, and featuring Henry King's orchestra, this musical short is highly entertaining. Interesting shots of New York at dawn and at sunset are interposed throughout the film. Miss Morgan sings a narrative song. Running time, 9 mins.

"The Little King"

(*Van Beuren-Radio*)

In a short called "Jest of Honor," the "Little King" falls short of amusement value expected from the hilarious Soglow cartoons current in magazines. There are, however, several amusing scenes, such as the King riding a surf-board behind a battleship. Running time, 7 mins.

"The Inventors"

(*Educational*)

A hilarious comedy starring Stoopnagle and Budd. Their inventions and their lectures are the whole film. Olive Borden is also featured. Running time, 20 mins.

"Strange Case of Hennessy"

(*Van Beuren-Radio*)

An amusing musical with Cliff (Ukulele Ike) Edwards, and Jack Fulton and Jean Sargent, the radio stars. Posing as a famous detective, who later turns out to be insane, Cliff Edwards provides many laughs. Running time, 21 mins.

"Hey Nanny, Nanny"

(*Radio*)

A fairly amusing hodge-podge of the antics of Clark and McCullough, showing their rise from window cleaners to magicians, with Thelma White, Monte Collins and Sidney Jarvis aiding in producing laughs. The story and dialogue are typical of Clark and McCullough. Running time, 21 mins.

"Not Tonight, Josephine"

(*Vitaphone*)

A very amusing short done in Technicolor, burlesquing the life of Napoleon. Frank McHugh as Napoleon, Kitty Kelly as Josephine and Florence Robertson as Anne of Austria furnish most of the laughs. Several songs are also featured. Running time, 21 mins.

"The Seventh Wonder"

(*Monogram*)

This is one of the "Port O'Call" series produced by Deane H. Dickason. The seventh wonder is the Panama Canal and the working of its massive locks with some preliminary scenes and narrative describing Panamanian history. Ships are shown moving slowly in various parts of the big ditch. It's an interesting travelogue. Running time, 11 mins.

"On Approval"

(*Radio*)

Featuring Frank Crummit and Julia Sanderson, this RKO-Headliner comedy could be much more amusing. Using the adoption of an orphan as the foundation on which to build a comedy, the action tends to be too serious. Running time, 17 mins.

"In Venice"

(*Educational*)

Another amusing Terry-Toon, this one having Venice as its setting. Traffic on the canals, a burlesque arrival of Will Rogers, and his greeting to the air squadron of Balbo are featured. A burlesque Italian opera runs through the last three minutes. Running time, 5 mins.

"Moorish Spain"

(*Van Beuren-Radio*)

Novel in the sense that not a bull, nor a shot of a bullfight is seen, this travelogue, produced by J. Herrick-Herrick for Van Beuren in Spain, is very interesting. Shots of the Alhambra and the adjoining gypsy village are particularly good. Off-stage dialogue is by Alois Havrilla, the radio announcer. Running time, 10 mins.

"Pardon My Pups"

(*Educational*)

Starring Junior Coghlan and Shirley Temple, this one furnishes plenty of laughs. The story concerns a youngster who is afraid of dogs, but who finally is won over by a spaniel. Shirley Temple is great. Running time, 17 mins.

"Hollywood on Parade"

(*Paramount B-6*)

The conventional "Hollywood on Parade," with shots of the Paramount studio, Ruth Etting, Jimmy Durante, Cary Grant, Joan Crawford, Alice White, and Joe E. Brown and Johnny Mack Brown on location. Running time, 10 mins.

"Canyon of Romance"

(*Educational*)

Shot in Cinecolor, this short is breath-taking in its scenic beauty. Claude Fleming's off-scene dialogue explains the wonders of the "golden west" among the deserts and canyons. Running time, 10 mins.

"Sitting on a Backyard Fence"

(*Vitaphone*)

A one-reel musical "Merrie Melody" cartoon, dealing with the amorous side of alley cats. Done in the conventional manner, and affords fair entertainment. Running time, 7 mins.

"Scandals" Is Denver Smash With $17,500

DENVER, Jan. 14.—"Roman Scandals" topped everything the Denver has had within the past three years, and is the first film ever to be held a second week at this de luxer. Hold-outs were the rule, with some of them extending out to the curb.

"Dinner at Eight" turned in twice the regular gross at the Paramount, after a week at the Denver in which it had the best takings in many months. "Ann Vickers" was 10 per cent above normal at the Orpheum, while "Morning Glory" and "Design for Living" did average.

First run business was $43,500. Average is $27,750.

Estimated takings for the week ending Jan. 11:

"MORNING GLORY" (Radio)
ALADDIN—(1,500), 25c-40c, 7 days. **Gross:** $3,500. (Average, $3,500.)

"DESIGN FOR LIVING" (Para.)
DENHAM—(1,500), 25c-30c-40c, 7 days. Stage show. **Gross:** $6,000. (Average, $6,000.)

"ROMAN SCANDALS" (U. A.)
DENVER—(2,500), 25c-35c-50c, 7 days. **Gross:** $17,500. (Average, $5,500.)

"ANN VICKERS" (Radio)
ORPHEUM—(2,600), 25c-35c-40c, 7 days. Stage show. **Gross:** $11,000. (Average, $10,000.)

"DINNER AT EIGHT" (M-G-M)
PARAMOUNT—(2,000), 25c-40c, 7 days. **Gross:** $5,500. (Average, $2,750.)

Judge in Illinois Favors Open Sunday

BEATON, Ill., Jan. 14.—Judge Robert Cook of Herrin, Ill., has made permanent an injunction restraining county and city officials from enforcing the city ordinance against Sunday shows. The court held the ordinance invalid.

BOSTON, Jan. 14.—Two Massachusetts towns are agitating Sunday shows. At Melrose petitions have been filed with Mayor Robert A. Perkins and the aldermen asking that the Sunday show problem be submitted to voters.

At Malden, in spite of the fact that voters have already favored Sunday openings, the selectmen have called a second referendum to decide whether or not the voters will ratify the action taken earlier.

Charter Export Concern

DOVER, Jan. 14.—General Film Exchange, Inc., has filed in the State Department here to export films to China, listing capital of 100 shares, no par value. The incorporators are: Robert A. Van Voorhis, Belleville, N. J.; R. H. Toothe, Brooklyn, N.Y.; A. M. Docken, Sunnyside, L I.

M-G-M Publicists Expand

HOLLYWOOD, Jan. 14.—The M-G-M publicity department has taken over the entire building on the lot, the writers formerly quartered there having been moved out.

Providence Gives 'Dinner' $16,800, $4,800 Over Par

PROVIDENCE, Jan. 14.—With all theatres here catching nice business for the week, two houses, Loew's and the Paramount, raked in grosses considerably over average. "Dinner at Eight," at Loew's, took $16,800, and the Paramount, with "Design for Living," was $500 over average, garnering $7,000.

"Flying Down to RIO," at the Albee, was good for a par $7,000.

Total for first run business was $45,900. Average is $40,500.

Estimated takings for the week ending Jan. 4:

"DINNER AT EIGHT" (M-G-M)
LOEW'S STATE—(3,800), 15c-40c, 7 days. Stage: William Desmond and Ruth Mix. **Gross:** $16,800. (Average, $12,000)

"FLYING DOWN TO RIO" (Radio)
"FOG" (Radio)
RKO ALBEE—(2,300), 15c-40c, 7 days. **Gross:** $7,000. (Average, $7,000)

"LADY KILLER" (Warners)
"YOU MADE ME LOVE YOU" (Chesterfield)
MAJESTIC—(2,400), 15c-40c, 7 days. **Gross:** $7,000. (Average, $7,000)

"HAVANA WIDOWS" (Warners)
FAY'S—(1,600), 15c-40c, 7 days. Stage: "Revels of 1934." **Gross:** $7,000. (Average, $7,000)

"DESIGN FOR LIVING" (Para.)
"RAINBOW OVER BROADWAY" (CFD)
PARAMOUNT—(2,300), 15c-40c, 7 days. **Gross:** $7,000. (Average, $6,500)

"ONLY YESTERDAY" (Univ.)
"BREED OF THE BORDER" (Mono.)
RKO VICTORY—(1,600), 10c-25c, 4 days. **Gross:** $1,100. (Average, $1,000)

Claims Development Of New Sound Head

ENID, Okla., Jan. 14. — Wesley Trout, sound and projection engineer has developed a new type sound head which he says uses a new type optical system; two sprockets; new type curved, case hardened sound gate; is gear-driven, eliminates old style chain drives while all parts are built oversize and case hardened. Powers, Simplex, Kaplan and Motiograph projectors can handle it, he asserts.

He has also developed a new all a.c. amplifier, using all latest tubes, new type tone-control and changeover device. According to Trout, this sound equipment will faithfully reproduce all "Wide Range" and "High Fidelity" recordings, from 40 to 10,000 cycles.

Columbus Club to Dine

COLUMBUS, Jan. 14.—The third annual banquet of the Columbus Variety Club will be held in the Deshler-Wallick ballroom Jan. 21. Olsen and Johnson and their entire company of "Take a Chance," booked for the RKO Palace, will provide the stage entertainment.

Sir Ernest Dupille, managing director Continental Theatres, Ltd., of London, and Governor White of Ohio will be among the notables.

Signed to Work Abroad

HOLLYWOOD, Jan. 14. — Warners have signed Laura LaPlante and Reginald Denny to make pictures for them in London under the supervision of Irving Asher, head of the company's studio there.

Another Cycle

Hollywood, Jan. 14.—Strengthening the list of "generation" pictures already released or in production, Paramount has purchased screen rights to Samuel B. Harrison's novel, "Yonder Lies Jericho," a story dealing with a Texas family through three generations.

Wesley Ruggles gets the directorial assignment.

"Dinner," "Skitch" Lead Indianapolis

INDIANAPOLIS, Jan. 14. — Theatre business here was better last week with two houses going over par, something that has not happened in several weeks. The best business was "Dinner at Eight" at the Palace, which grossed $6,500. It was held over.

"Mr. Skitch," at the Apollo, reached $3,000.

Estimated takings week ending Jan. 8:

"MR. SKITCH" (Fox)
APOLLO—(1,100), 20c-40c, 2nd week, 7 days. **Gross:** $3,000. (Average, $2,500.)

"FLYING DOWN TO RIO" (Radio)
CIRCLE—(2,600), 25c-40c, 7 days. **Gross:** $3,500. (Average, $3,500.)

"SITTING PRETTY" (Para.)
INDIANA—(3,100), 20c-40c, 7 days. **Gross:** $4,000.

"BY CANDLELIGHT" (Univ.)
LYRIC—(2,000), 20c-40c, 7 days. Stage show. **Gross:** $4,500. (Average, $6,000.)

"DINNER AT EIGHT" (M-G-M)
PALACE—(2,800), 25c-55c, 7 days. **Gross:** $6,500. (Average, $4,500.)

"U" Directors Now Total to Eighteen

HOLLYWOOD, Jan. 14. — Universal now ranks equal to the balance of the major studios for number of directors under contract. Their latest list of contractees in this division shows a total of 18, including John M. Stahl, James Whale, Frank Borzage, Lowell Sherman, William Wyler, Karl Freund, Edward Buzzell, Kurt Neumann, Edwin L. Marin, Edward F. Sloman, Edgar Ulmer, James W. Horne, Robert Wyler, Edward Laemmle, Louis Friedlander, Ernst L. Frank, Ray Taylor and W. P. Hackney.

N. O. Liberty Reopens

NEW ORLEANS, Jan. 14.—The Liberty has reopened under the management of L. M. Ash, at one time auditor for Saenger. The theatre has been refitted with new sound equipment.

Para. Signs Craven

HOLLYWOOD, Jan. 14.—Paramount has signed Eddie Craven, currently starring in "Sailor Beware" on Broadway, to a long-term contract.

K. C. Grosses Leap Upward Over Holiday

KANSAS CITY, Jan. 14.—First run grosses experienced a rebound, the four major houses aggregating $51,700, which looks like old times. Special New Year's eve shows swelled the takes.

"Dinner at Eight," at the Midland's 25-cent price, was top-notcher with $21,000. "Design for Living" turned in a fine $9,700 at the Newman. "Mr. Skitch" was phenomenal, according to the Uptown, where it reportedly broke all existing house records for gross, attendance and profit. Against an average of $3,000, the Will Rogers vehicle gave the Uptown $8,500 for the week, this, however, including a New Year's midnight show at which "Sing, Sinner, Sing" was "previewed."

Total for the week was $51,700. Average is $33.000.

Estimated takings:

Week Ending Jan. 4:

"IF I WERE FREE" (Radio)
MAINSTREET—(3,049), 25c-40c-60c, 7 days, plus Saturday midnight show and New Year's Eve show (the latter 75c-$1.10, reserved.) Stage: Duke Ellington and band. **Gross:** $12,500. (Average, $12,000.)

"DESIGN FOR LIVING" (Para.)
NEWMAN—(1,800), 25c-40c, 7 days, plus Saturday and Sunday midnight shows. **Gross:** $9,700. (Average, $7,000.)

Week Ending Jan. 5:

"DESIGN FOR LIVING" (M-G-M)
MIDLAND—(4,000), 25c, 7 days, plus Saturday and Sunday midnight shows. **Gross:** $21,000. (Average, $11,000.)

"MR. SKITCH" (Fox)
UPTOWN—(2,000), 25c-40c, 7 days, plus Saturday midnight show. **Gross:** $8,500. (Gross includes near capacity business at New Year's Eve midnight show with "Sing, Sinner, Sing." (Average, $3,000.)

Fox Doubles Output On Its Spanish List

HOLLYWOOD, Jan. 14. — Determined to retain a firm foothold in the foreign field, Fox has boosted its Spanish output from six to 12 features for the current season.

The studio's foreign department, headed by John Stone, decided to double the season's quota, following entry of Warners and other majors into Spanish production.

None of the 12 will be dubbed versions, Fox having discontinued this system some time ago because of unsatisfactory reception by Latin exhibitors.

RKO Pushing Name Acts in Kansas City

KANSAS CITY, Jan. 14.—RKO is making a determined bid for business by way of combination shows with name acts at the Mainstreet. Scheduled are Morton Downey and revue for the week of Jan. 19, then Kate Smith and her Swanee Show, and Olsen and Johnson in "Take a Chance."

Connie in "Cellini" Lead

HOLLYWOOD, Jan. 14. — Constance Bennett draws the feminine lead opposite Fredric March in "The Affairs of Cellini" for 20th Century.

"Rio," Show, Detroit Top With $23,600

DETROIT, Jan. 14.—"Flying Down to Rio" at the Fox and "Convention City" at the Michigan, both aided by stage shows, got about all the business there was in town last week, both going over par. The former clicked for $23,600, which is $8,600 over average, and the latter took in $20,500, $500 better than the Michigan par. Others were just fair.

Total for the week was $63,300 against $77,000 average and $62,600 last week.

Estimated takings for the week ending Jan. 11:

"INVISIBLE MAN" (Univ.)
DOWNTOWN—(2,750), 15c-40c, 7 days, 2nd week. **Gross:** $5,300. (Average, $10,000.)

"SONS OF THE DESERT" (M-G-M)
FISHER—(2,975), 15c-50c, 7 days. **Gross:** $5,600. (Average, $10,000.)

"FLYING DOWN TO RIO" (Radio)
FOX—(5,100), 15c-50c, 7 days. Stage: Ken Murray, The Hudson Wonders, Si Wills & Joan Davis. **Gross:** $23,600. (Average, $15,000.)

"CONVENTION CITY" (F. N.)
MICHIGAN—(4,100), 15c-40c, 7 days. Stage: Will Mahoney, Radio Rubes, Lomas Troupe. **Gross:** $20,500. (Average, $20,000.)

"ROMAN SCANDALS" (U. A.)
UNITED ARTISTS—(2,070, 15c-50c, 7 days, 3rd week. **Gross:** $5,100. (Average, $10,000.)

"BLOOD MONEY" (U. A.)
STATE—(3,000), 15c-40c, 7 days. Stage: WLS Barn Dance. **Gross:** $3,200. (Average, $12,000.)

Clark in New Sparks Job

TAMPA, Jan. 14.—Jesse L. Clark, for the past three years manager of the west coast division of Sparks theatres with headquarters in Tampa, has been made district manager in charge of all houses in the central and north portions of the state. He is succeeded here by Vernon D. Hunter.

Two managerial changes have been made here. Jack Hodges is back at the Tampa and William Hart has returned to the Park.

F. D. Holds Party

First Division held a house warming at its new quarters in Radio City on Saturday.

Practically every important person in the business attended. Harry H. Thomas, president of First Division, was host to a gathering of more than 700. There was dancing in addition to a buffet luncheon.

Charter Texas Companies

DOVER, Del., Jan. 14.—Texas Consolidated Theatres, Inc., and Texas Theatre Realty Co. has been chartered here. Texas Consolidated listed capital of $10,000 and Texas Realty $1,000. The incorporators, for both, were C. S. Peabbles, L. H. Herman and Walter Lenz of Wilmington.

Martin Joins Radio

HOLLYWOOD, Jan. 14.—Eddie Martin, *Hollywood Citizen-News* columnist and recently with the Warners theatre publicity department, joins the Radio staff Monday. Mike Maloney has handed in his resignation.

Making It Clear

Two Rivers, Wis., Jan. 14.—Honesty is the best policy in the estimation of the management of the Rivoli, which featured the following box in one of its recent advertisements: "Notice! 'Saturday's Millions' replaces 'Meet the Baron' which was advertised to play both Sunday and tonight. The amount of attendance Sunday did not warrant playing the picture tonight."

Coast Production Shows Slight Gain

(*Continued from page* 1)

in preparation and 19 in the cutting rooms.

Fox and Warners led the feature group for activity with each studio reporting six in work. Fox has three in preparation and three cutting, while Warners have six preparing and one cutting.

M-G-M reported four, two and nine; Paramount four, four and four; 20th Century one, zero and two; Universal one, one and zero; Columbia zero, four and five; Radio one, five and seven. Independent producers show four, seven and five.

In the short subject field, M-G-M reported three working, three preparing and two cutting; Roach has two, two and three; Universal zero, one and two; Columbia zero, three and one and Radio zero, one and six; independent six, five and five.

Stewart Film Board Head

PORTLAND, Jan. 14.—Pete Stewart, Warners, has been named president of the Film Board of Trade, with Lou Amacher of M-G-M as first vice-president, Frank Clark of Paramount as second vice-president, Howard Mapes as treasurer and Ruth Doyle as secretary.

"Pigs" in Tenth Week

CINCINNATI, Jan. 14.—"Three Little Pigs" is being shown at the Terminal for the 10th consecutive week. This is believed to constitute a national record for continuous showing of a Disney cartoon.

Va. Gets New Concern

SALEM, Va., Jan. 14.—The Virginia Theatre Management Corp., a Maryland corporation, has just been domesticated to do business in this state. Bernard Depkin, Jr., is in charge.

Odlum Quits at Canton

CANTON, O., Jan. 14.—G. B. Odlum, in charge of the Palace for the past year, is out. A. G. Constant, Steubenville, lessee of the house, has taken over active management.

Maryland MPTO to Elect

BALTIMORE, Jan. 14.—Nominating committee of the M.P.T.O. of Maryland, Inc., has been appointed including William Hicks, chairman; Robert Kanter, Max Cluster, Louis Schneider and Charles E. Nolte.

Philadelphia Tips "Women" Big 2nd Week

PHILADELPHIA, Jan. 14.—Business continued good last week. The second week of "Little Women" toppled over a good $24,000 at the Boyd. "I Am Suzanne" got $18,500 at the Fox on the second week, almost enough to warrant its being held. Ben Bernie and his band, together with "Above the Clouds," brought $23,000 to the Earle.

A surprise hit developed at the Karlton in "By Candlelight," which took in $6,000, enough to hold it a second week, an almost unprecedented action for this theatre. The house recently turned to first runs and appears to be getting established as a theatre for more or less sophisticated films.

Total first run business was $106,200. Average is $76,580.

Estimated takings for the week ending Jan. 11:

"ROMAN SCANDALS" (U.A.)
ALDINE—(1,300), 40c-55c-65c, 6 days. 3rd week. **Gross:** $11,500. (Average, $7,000.)

"SITTING PRETTY" (Para.)
(2nd run)
ARCADIA—(600), 25c-35c-40c, 6 days. **Gross:** $2,000. (Average, $2,400.

"LITTLE WOMEN" (Radio)
BOYD—(2,400), 40c-55c-65c, 6 days, 2nd run. **Gross:** $24,000. (Average, $12,000.)

"ABOVE THE CLOUDS" (Col.)
EARLE—(2,000), 40c-55c-65c, 6 days. Stage: Ben Bernie and his revue. **Gross:** $23,000. (Average, $12,000.)

"I AM SUZANNE" (Fox)
FOX—(3,000), 30c-40c-65c, 6 days, 2nd week. Stage: Buck and Bubbles, Jack Arthur, Captain Proske's Tigers. **Gross:** $18,500. (Average, $16,000.)

"BY CANDLELIGHT" (Univ.)
KARLTON—(1,000), 30c-40c-50c, 6 days. **Gross:** $6,000. (Average, $3,500.)

"WINE, WOMEN AND SONG" (Chadwick)
KEITH'S—(2,000), 25c-35c-40c, 4 days. Stage: Frank Richardson. **Gross:** $3,000. (Average, 6 days, $7,000.)

"DANCING LADY" (M-G-M)
STANLEY—(3,700), 40c-55c-65c, 6 days, 2nd week. **Gross:** $11,000. (Average, $12,000.)

"WHITE WOMAN" (Para.)
STANTON—(1,700), 30c-40c-55c, 6 days. **Gross:** $7,200. (Average, $7,000.)

Up 15c. for "Roadshow"

KANSAS CITY, Jan. 14.—The difference between a regular first run and a roadshow is 15 cents, according to the Fox Apollo here. The house hiked its 25-cent top to 40 cents for "Berkeley Square." The attraction is billed as a "roadshow" and is preceded by a "musical prologue" consisting of several shorts.

Day and Date "Daughter"

"Enlighten Thy Daughter" will get day and date bookings in two Lowell, Mass., houses, an unusual procedure in New England, according to Exploitation Pictures, which arranged the deal with Harry Asher of American Pictures, Inc., New England distributors. The houses are the Victory and Capitol.

R. A. Philbrook Sells Out

DETROIT, Jan. 14.—One of the most colorful of Detroit's exhibitors has passed out of the film picture. Ralph A. Philbrook, Annapolis graduate, lawyer and 250-pound operator of the Cooley, has sold out to Arthur D. Baehr, former manager of the Plaza.

Cleveland's Grosses Take Sizable Jump

CLEVELAND, Jan. 14.—The week ended with every first run doing average or better. Four out of six local first runs went over, resulting in a total increase of $3,900 over the average total intake. "Rainbow Over Broadway," coupled with a stage show starring Olsen and Johnson in "Take a Chance," piled up $20,500. "The House on 56th St.," "Design for Living" and "Bombay Mail" helped swell the high total. Duals at the Lake pulled that house up.

Total business was $46,400. Average is $42,500.

Estimated takings for the week ending Jan. 12:

"BOMBAY MAIL" (Univ.)
ALLEN—(3,300), 20c-30c-40c, 7 days. **Gross** $3,500. (Average, $3,000.)

"HOUSE ON 56TH STREET" (Warners)
WARNERS' HIPPODROME—(3,800), 30c-35c-44c, 7 days. **Gross:** $5,800. (Average $5,000.)

"HORSE PLAY" (Univ.)
"KING FOR A NIGHT" (Univ.)
WARNERS' LAKE—(800), 25c-35c, 7 days **Gross:** $2,500. (Average, $2,500.)

"RAINBOW OVER BROADWAY" (Chesterfield)
RKO PALACE—(3,100), 30c-40c-60c-75c, days. Stage: Olsen & Johnson, "Take Chance" with cast of 75. **Gross:** $20,50 (Average, $18,000.)

"DESIGN FOR LIVING" (Para.)
LOEW'S STATE—(3,400), 30c-35c-44c, days. **Gross:** $10,000. (Average, $10,000.)

"GIRL WITHOUT A ROOM" (Para.)
"16 FATHOMS DEEP" (Monogram)
STILLMAN—(1,900), 25c-35c, 7 day **Gross:** $4,100. (Average, $4,000.)

Northwest Picking Up

PORTLAND, Jan. 14.—Theatre business is picking up. Joe George, Idaho Falls, Idaho, has just closed a $12,00 contract with B. F. Shearer for remodeling, and the new Mt. Tabor, suburban here, has been opened by H. Updegraff.

Swee Heads New Club

CLEVELAND, Jan. 14.—Louis Swee has been elected president, Stua Cagney, vice-president, and Da Polster treasurer of the newly forme M. P. Theatre Managers' Club, o ganized for social purposes.



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MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 35. NO. 13 NEW YORK, TUESDAY, JANUARY 16, 1934 TEN CENTS

Duplications In Code Board Lists Stopped

...en More Are Published By the Authority

Duplications of names suggested for ...ppointments on the 64 clearance and ...ning and grievance boards are being ...spensed with for publicity purpose, ...e Code Authority states. Only ...mes which have not been sent in ...reviously will get publicity, but each ...ill be added to the card index at ...thority headquarters for official fil...g. This move has been taken be...use repeated suggestions of a man's ...me will carry no weight with the ...ode Authority. Each man recom...ended will stand on his record, no

(Continued on page 6)

...ne Secretary for Each Board, Plan

In line with the plan of the Code ...uthority to operate at a minimum ...pense, one secretary, rather than ...o, for each of the 32 clearance and ...ning and grievance boards, will ...ost likely be appointed. Each secre...ry will be paid according to a salary ...cided upon by the authority.

In some key centers like New York, ...icago and Los Angeles, assistants ...ill be provided for the secretaries ...cause of the amount of work to be ...ne.

Although the various boards are ex-

(Continued on page 6)

...ubinsky Takes Row Up with Rosenblatt

KANSAS CITY, Jan. 15.—Ed Dubin...y conferred with Division Admin...rator Sol A. Rosenblatt this after...on about the code controversy in ... Joseph and Kansas City. Dubin...y's trip east followed telegraphic ...changes with Rosenblatt, in which ... division administrator inquired ...out the I. A. T. S. E. complaint that ...binsky was violating the code.

Later in the day Rosenblatt con...red with a number of other exhibi... representatives from the middle ...st.

...ode Assents Total Over 6,000 to Date

To date more than 6,000 assents ...ve been received by Executive Sec...ary John C. Flinn. Among these

(Continued on page 6)

Theatre Grosses Jump in Five Key Spots for Week

Business picked up sharply last week in a number of key spots. In Boston grosses topped average in every first run, continuing the fast pace which became evident some weeks ago.

Chicago, which has been dull since the World's Fair ended, showed signs of returning life, the Chicago doing a big $55,000 with Mary Pickford on the stage and "Easy to Love" on the screen. Montreal had a religious holiday which stirred all theatres out of the recent doldrums. Los Angeles and Pittsburgh were also strong.

Boston's total first run gross of $117,000 was $22,000 over normal. "Fog" on the screen and Amos 'n' Andy on the stage at the Boston made the best showing with $23,500, which is $7,500 over the usual take. "Flying Down to Rio" at Keith's, in its second week, was a close second with $21,000, up by $5,000. "Roman Scandals" sent Loew's State up to $22,000. At the Metropolitan, with "Mr. Skitch" on the screen and Mary McCormic on the stage, the $31,000 gross topped normal by $3,000. A double bill, "Havana Widows" and "Hell and High Water," garnered $9,500 at the Paramount.

Los Angeles grosses took a decided jump last week with eight houses topping normal for a total first run take of $120,463. Average is $117,150. One of the outstanding pictures on the list was "Little Women," which took $19,250 at Grauman's Chinese. Another was "Miss Fane's Baby Is Stolen," with Guy Lombardo and his orchestra

(Continued on page 8)

RKO-K-A-O Plan Wins in Appeals Court

A plan of settlement of RKO's claim of $2,094,665 against K-A-O, proposed by Irving Trust Co., RKO receiver, was upheld in a ruling handed down yesterday by the U. S. Circuit Court of Appeals.

The plan had been objected to by Harrison Realty & Theatre Corp., an RKO creditor, when it was submitted to Federal Judge William Bondy in U. S. District court some time ago. Judge Bondy approved the plan and an appeal from his ruling was taken to the higher court by the creditor, resulting in yesterday's decision.

Under the receiver's plan, Stadium Theatres, Inc., newly organized RKO subsidiary, takes over the $2,000,000 claim against K-A-O and issues its own stock to the RKO receiver in exchange.

Coast Report About Stills Mystery Here

Although coast reports have Monogram and Majestic cooperating with the Hays office on the coast in submitting stills, no official word to this effect has reached the Hays headquarters in the east or Monogram and Majestic home offices. Both independent companies state they will submit their material to the advertising board of the Federation of the M. P. Industry.

German Dual Ban May Hit U. S. Imports

WASHINGTON, Jan. 15.—Further reduction of American film imports into Germany below the low point of 43 reached during the 1932-33 season may result from the abolition of double features in that country, according to reports from Trade Commissioner George R. Canty to the Motion Picture Division of the Specialties Division of the Department of Commerce.

Original versions in English probably will have no market at all outside of Berlin, Canty indicates, and dubbed versions or features with superimposed titles will have to compete with a reduced market for the native product. On the other hand, it is pointed out, those pictures that are sold will probably bring a higher

(Continued on page 6)

Cooper Sets Plans For 17 More at RKO

HOLLYWOOD, Jan. 15. — Merian Cooper seemingly gave the lie today to reports of his intention to quit as Radio production head by announcing plans for 17 new productions to be completed within the next three months to bring to a close his studio's current program, involving an expenditure of $4,000,000. Included in the group are "Finishing School," "The

(Continued on page 7)

World Total For Theatres Shows a Drop

Government Estimate Is 60,347; Down 1,577

WASHINGTON, Jan. 15—Total number of picture theatres throughout the world dropped off in 1933 as compared with 1932, but, of the aggregate number, thousands additional swung into the sound procession by a changeover from silent to talking film equipment.

According to figures compiled annually by the Motion Picture Division of the Department of Commerce, world theatres last year were 60,347 as of Jan. 1, 1934. This compares with 61,924 in 1932. In the face of the shrinkage, however, 4,867 more theatres wired for sound to a total of 41,822 for 1933, as compared with 36,955 the year before.

Latest statistics on the United States, according to this source, give the nation 19,000 theatres, a figure that will not match up with statistics compiled within the industry which place the list of active houses in the neighborhood of 14,000, while Code

(Continued on page 4)

Kentucky Bill Has Heavy Ticket Tax

FRANKFORT, Ky., Jan. 15.—Included in Governor Laffoon's much discussed tax program which has just been presented to the Legislature is a ticket tax scaled at five cents for each 25 cents of ticket price or fraction thereof. It is designed to raise $1,400,000 from amusements.

The size of the tax has come as

(Continued on page 7)

Dowling Named RKO Manager in Europe

Ambrose Dowling has been named European manager of RKO with headquarters in London. Accompanied by Phil Reisman, general manager of foreign distribution, Dowling sails Saturday on the *Conte di Savoia*. Reisman will spend about two months abroad visiting all exchanges under his supervision.

Prudential-Century Deal Meets Denial

Reports were current yesterday that a merger or a working agreement was underway between Pruden-

(Continued on page 6)

MOTION PICTURE DAILY

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L. B. Mayer Is Made Life Islam Member

SAN FRANCISCO, Jan. 15.—Louis B. Mayer was made an honorary life member of Islam Temple at a luncheon tendered him at the Palace Hotel.

Principal state and city officials, including Governor James Rolph, Jr., greeted Mayer.

Samuel Shortridge, former U. S. Senator, spoke.

Majestic Setup to Be Agreed on Soon

The Production setup of Majestic will be announced within the next week, Herman Gluckman, president, stated yesterday. The company has eight more pictures to go on the current program. Studio headquarters on the coast and an executive producer will be set within the next few days, he says.

Loew Trip Canceled

Arthur M. Loew, vice-president of Loew's and in charge of M-G-M's foreign business, has canceled his 'round-the-world trip and is returning to New York, via China. He is due back in a month. Illness is described as the reason.

Air Race to Hughes

MIAMI, Jan. 15.—Howard Hughes was being congratulated today for winning the sportsman pilot free-for-all event yesterday at the Miami All-American air meet. His speed was 185.707 miles per hour over a 20-mile course.

FitzPatrick Looks For Drop in Shorts

A decided decrease in the shorts output next season is seen by J. J. FitzPatrick, president of FitzPatrick Pictures. He states the number of short subjects will be cut by all major producers because of the code. He believes exhibitors will be at liberty to choose only those subjects which have been successful at the box-office and the producers must make the type of shorts desired by theatre owners.

Having just completed "Tschaikovsky," first of 12 musical subjects, FitzPatrick declares he has put in twice the amount of time and double the expense ordinarily required for one short. He says Walt Disney has set a new standard in shorts production and all producers will have to spend more time and money in their product to equal it.

Headliners for Benefit

Jack Pearl, Eddie Cantor, George M. Cohan, Abe Lyman and his band, George Jessel, Bob Hall, Joe Penner, Milton Berle, Ed Sullivan and "The Voice of Experience" are among the talent being lined up by Steve Trilling of the Warner Artists' Bureau for the annual benefit of the Milk and Egg League for New York's Tubercular Poor at the New Amsterdam, Jan. 28.

Medal for Disney

PHILADELPHIA, Jan. 15—Walt Disney will be awarded this year's gold medal of the Poor Richard Club of Philadelphia for the outstanding achievement of 1933 at a banquet at the Benjamin Franklin Hotel Wednesday. Eddie Cantor will accept the medal for Disney, who will not be able to attend.

Disney Joins Hays

Walt Disney Prod. is now a member of the Hays organization. This sends the total of producing and distributing company members up to 25.

Pick Grace Moore's First

HOLLYWOOD, Jan. 15.—Grace Moore's first for Columbia will be "Don't Fall in Love," a play by Charles Beahan and Dorothy Speare.

Milwaukee Boosting Grosses with Shows

MILWAUKEE, Jan. 15.—Faced with plenty of outside competition, the Alhambra, Palace and Wisconsin, first runs, are playing stage shows in addition to their regular picture fare.

A six-day bike race, just closed at the Auditorium, grossed approximately $24,000 with a paid attendance of 39,804. The automobile show moved into the Auditorium Jan. 13 for a week's stay. And to top it off a walkathon has blossomed forth in the Horticulture Building at State Fair Park in West Allis, operating 24 hours daily with two daily broadcasts over WISN.

Paramount Promotes Six

In line with its policy of promoting from within the ranks, Paramount has made six elevations in the sales force. James J. Donahue, Salt Lake City manager, is now head of the Minneapolis office, succeeding Chester A. Roeder, who has been switched to San Francisco. Harold E. Pickett, Oklahoma City branch manager, has assumed a similar post in Dallas. Charles G. Epperson, salesman at Salt Lake City, is now manager, and Sidney R. Sampson, salesman at Dallas, heads the Oklahoma City office. Gerald Westergren, ad sales manager at Washington, has been moved to the home office and Stanley R. Chase, ad sales clerk in Washington, is now ad sales manager there.

Para. to Build Up Ross

HOLLYWOOD, Jan. 15.—One of the biggest star build-ups planned for the coming year will be given Lanny Ross, former Radio singer, by Paramount.

To date he has been given a featured role in "Melody in Spring," his first picture. A starring vehicle is now being prepared for him and the studio will co-star him with Charlotte Henry in "Cinderella."

Designates Shorts Week

Paramount has designated the seven days starting Feb. 11 as National Short Subjects Week.

Hays Plans Coast Trek

Will H. Hays plans to leave for the coast shortly.

Market Shows Upward Trend

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	25¾	25	25¾	+1⅛	600
Consolidated Film Industries	3½	3¼	3¼	.....	400
Consolidated Film Industries, pfd	13	12¾	13	.....	800
Eastman Kodak	82½	81	82	+1⅞	1,600
Fox Film "A"	14	13⅝	14	+ ½	1,200
Loew's, Inc.	27⅞	27½	27¾	+ ⅞	14,200
M-G-M, pfd.	21¾	21¾	21¾	+ ¼	100
Paramount, cts.	2⅞	2⅝	2⅞	+ ⅛	18,600
Pathe Exchange	1¾	1⅝	1¾	+ ⅛	1,300
Pathe Exchange "A"	12½	11¼	12¾	+1⅜	3,200
RKO	2⅝	2½	2⅝	+ ¾	5,800
Warner Bros.	6	5½	5⅞	+ ⅜	10,500

Technicolor Advances Half a Point

	High	Low	Close	Net Change	Sales
Technicolor	8½	8⅜	8½	+ ½	300

Paramount Bonds in Sharp Rise

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	5¼	5	5¼	+ ¼	24
General Theatre Equipment 6s '40, ctf	4¾	4¾	4¾	— ¼	2
Keith B. F. 6s '46	54	54	54	+1½	3
Loew's 6s '41, ww deb rights	90	89	90	+ ¼	21
Paramount Broadway 5½s '51	39	36	37⅛	+2⅝	26
Paramount F. L. 6s '47	38	35¾	38	+3	36
Paramount Publix 5½s '50	38	35¾	37½	+1⅝	52
Warner Bros. 6s '39, wd	44⅜	43¼	44⅜	+1¼	45

Purely Personal

MARGIT NILSEN, fashion illustrator and costume designer, will hold an exhibition of her soap sculpture at the world premiere of First National's "Fashions of 1934" at the Hollywood Thursday night.

R. H. BRUCE LOCKHART, who wrote "British Agent," which First National is making into a film, arrives aboard the *Aquitania* on Jan. 30. He may visit Hollywood.

LIONEL ATWILL, back from the coast, has gone to Pikesville, Md. He expects to make a personal appearance at the opening of "Nana."

DOLORES DEL RIO will broadcast over the NBC network tomorrow at 9:30 P. M.

JAMES R. GRAINGER left for Canada last night. Back in New York the end of the week.

Many Shifts by RKO At New York Houses

Many changes in its New York theatre personnel have been made by RKO. Ray Connor has replaced Herman Whitman as manager of the Palace. His place at the Fordham has been filled by Herbert Jennings. Robert Ward has been named assistant manager of the Orpheum, Brooklyn, as successor to Nat Rubin. Joseph C. Greenfield replaces John H. Patterson as manager of the Greenpoint, Brooklyn. He is succeeded at the Franklin by Lou Golden.

Abe Vallet has been promoted to manager of the Shore Road, Brooklyn, succeeding Hubert O'Camp. He was formerly assistant manager and treasurer of the Bushwick, Brooklyn, where he has been replaced by Anthony Belle, formerly chief of service.

Receiver to RKO Studio

A. H. McCausland, representative of Irving Trust Co. as receiver for RKO, is en route to Hollywood to confer with RKO studio representatives on matters pertaining to the receivership. McCausland left New York over the week-end with the intention of remaining at the studio for several weeks.

Morosco Hurt in Fall

HOLLYWOOD, Jan. 15.—Oliver Morosco is in a private hospital here with injuries sustained when he was seized with a heart attack and fell to the pavement while strolling along Hollywood Boulevard. His condition is said to be critical.

Switch Robson Title

HOLLYWOOD, Jan. 15.—"You Can't Buy Everything" is M-G-M's final title for May Robson's starring picture which has been called "Old Hannibal."

Keene a Colonel

ATLANTA, Jan. 15.—Lionel Keene, southern representative for Loew's theatres, has been named colonel on Governor Talmadge's staff.

This is



ANNA STEN

"She should prove a new screen sensation and a box-office tonic throughout the country."

WARREN STOKES
Associated Publications

World Total For Theatres Shows a Drop

(*Continued from page* 1)

Authority set aside only 13,500 blanks for theatres in connection with assents to the code.

Europe last year stands out in front with the sharpest decline the Motion Picture Division records reveal. That territory in 1933 turned in a total of 29,693 theatres, as compared with 30,623 in 1932, or a shrinkage of 930. The Far East was second with a decline of 283 theatres last year to a total of 4,639 as compared with 4,922 in 1932. Latin-America ranks third in this classification with a 1933 total of 5,270. In 1932, this territory reported 5,546, thereby making the difference 276 in 12 months.

How the world's theatres compare last year and the year before is demonstrated in the following charts:

1933

Territory	Grand Total	Sound Houses
Europe	29,693	20,933
United States	19,000	15,000
Latin America	5,270	2,208
Far East	4,639	2,539
Canada	1,100	710
Africa and Near East	645	432
Totals	60,347	41,822

1932

Territory	Grand Total	Sound Houses
Europe	30,623	17,822
United States	19,042	14,000
Latin America	5,546	1,830
Far East	4,922	2,147
Canada	1,100	777
Africa and Near East	691	379
Totals	61,924	36,955

Interesting is the comparison between theatres, by countries and by year, as revealed in the following comparative tables:

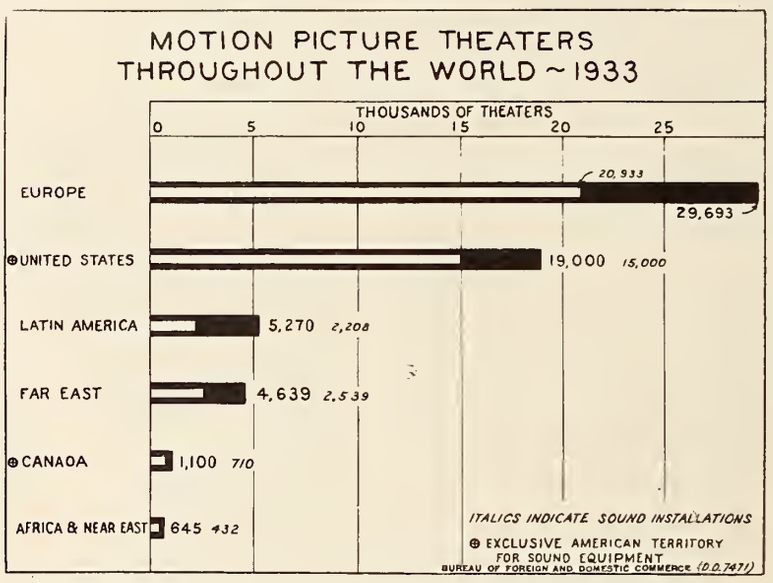
Europe

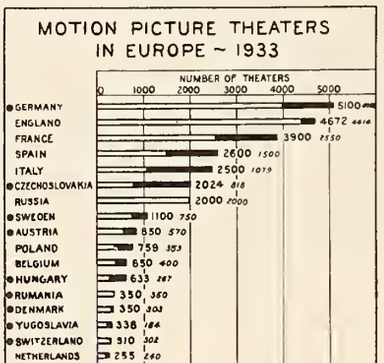
Country	Theatres 1933	Theatres 1932
Germany*	5,100	5,071
England	4,672	4,950
France	3,900	3,300
Spain	2,600	2,600
Italy	2,500	2,500
Czechoslovakia*	2,024	1,900
Russia	2,000	3,200
Sweden*	1,100	1,100
Austria*	850	850
Poland	759	900
Belgium	650	750
Hungary*	633	505
Rumania*	350	400
Denmark*	350	300
Yugoslavia*	338	300
Switzerland*	310	325
Netherlands	255	253
Portugal	250	400
Norway*	220	235
Finland*	220	220
Bulgaria*	145	145
Latvia	107	80
Greece	100	100
Estonia	93	82
Turkey	80	80
Lithuania	80	77
Albania	10	..
Totals	29,693	30,623

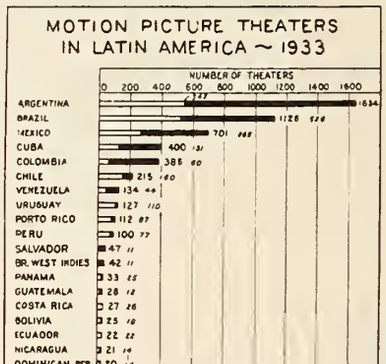
* Exclusive German territory for sound equipment.

Latin-America

Country	Theatres 1933	Theatres 1932
Argentina	1,634	1,608
Brazil	1,125	1,600
Mexico	701	701
Cuba	400	400
Colombia	385	220
Chile	215	212
Venezuela	134	125
Uruguay	127	125
Porto Rico	112	112
Peru	100	100
Salvador	47	47
British West Indies	42	42
Panama	33	33
Guatemala	28	28
Costa Rica	27	21
Bolivia	25	17
Ecuador	22	25
Nicaragua	21	21
Dominican Republic	20	25
Honduras	18	26
Jamaica	14	11
Bermudas	9	13
Paraguay	9	9
Haiti	7	9
British Guiana	5	5
Bahamas	4	5
Dutch West Indies	4	4
British Honduras	2	2
Totals	5,270	5,546







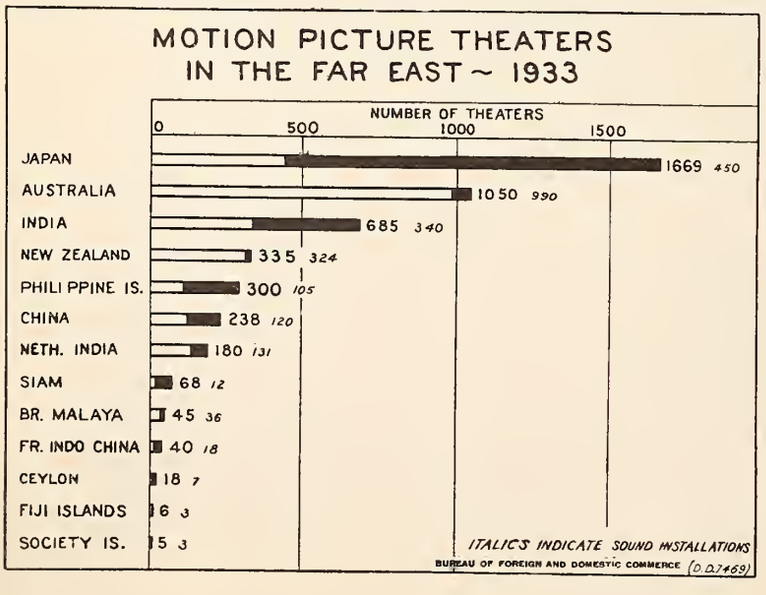
Europe First In '33 Slump With 930 Less

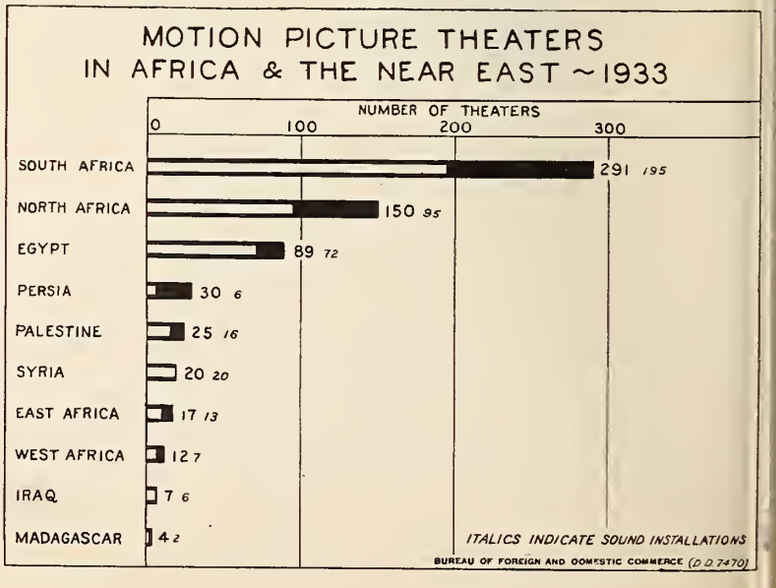
Far East

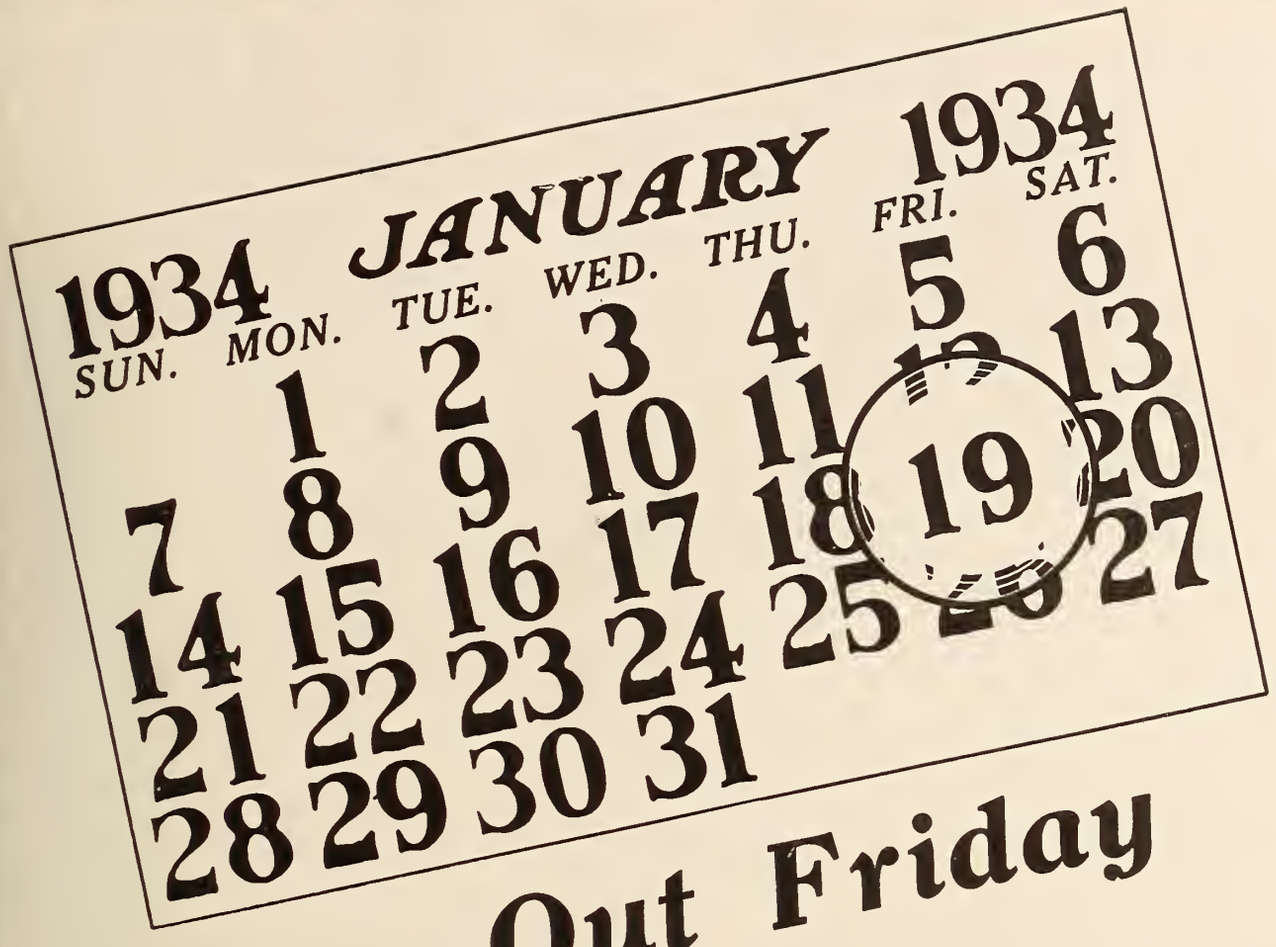
Country	Theatres 1933	Theatres 1932
Japan	1,669	1,485
Australia	1,050	1,500
India	685	685
New Zealand	335	397
Philippine Islands	300	300
China	238	200
Netherlands East Indies	180	180
Siam	68	68
British Malaya	45	40
French Indo China	40	40
Ceylon	18	16
Fiji Islands	6	6
Society Islands	5	5
Totals	4,639	4,922

Africa, Near East

Country	Theatres 1933	Theatres 1932
South Africa	291	350
North Africa	150	150
Egypt	89	87
Persia	30	33
Palestine	25	19
Syria	20	20
East Africa	17	9
West Africa	12	12
Iraq	7	7
Madagascar	4	4
Totals	645	691







Out Friday

The STUDIO NUMBER

MOTION PICTURE
DAILY

Duplications In Code Board Lists Stopped

(*Continued from page* 1)

matter how many persons submit his name for appointment.

After sifting of the numerous names yesterday, the authority announced 10 new suggestions. They are:

Buffalo—Nikitos Dipson.
Chicago—Emma Abplanalp.
Detroit—Audrey Littell.
Indianapolis—Helen Keeler, Marian M. Hull.
Philadelphia—Oscar Neufeld, Jack H. Greenberg.
Pittsburgh—Emmaline Fineberg.
Milwaukee—George Fischer, B. K. Fischer.

Names of the parties suggesting the recommendations along with the positions the men seeking appointment now hold are being withheld by the authority, but are indexed for use of the body making the selections.

Intermountain Plans To Accept the Code

SALT LAKE CITY, Jan. 15—Abandoning the idea of formulating a state code, the Intermountain Theatres Ass'n. has decided to sign the national industry code and be governed by its provisions, for the present, at any rate, according to Beverly S. Glendinnin, secretary and counsel for the organization.

C. E. Huish, of the Star, Eureka, Utah, has been re-elected president, with J. J. Gillette, Strand, Tooelle, Utah, as vice-president, and John Rugar, Egyptian, Park City, Utah, as treasurer.

The new board of directors consists of these officers and I. H. Harris, Evanston, Wyo.; Stanley Rich, Montpelier, Idaho; Albert Stetson, RKO Theatre, this city, and A. F. Johnson, St. Anthony, Idaho.

Kuykendall to Hold Conference at N. O.

NEW ORLEANS, Jan. 15.—Organization of a strong code body to represent exhibitors is seen here as a result of a meeting called by Ed Kuykendall, president of the M.P.T.O.A., at the Jung Hotel for Jan. 21. Kuykendall will attend with several out-of-town exhibitors, both circuit men and independents.

Vaudeville Men to Talk to Rosenblatt

WASHINGTON, Jan. 15.—Representatives of vaudeville producers are expected to come to Washington to lay before Division Administrator Sol A. Rosenblatt complaints regarding code provisions relative to layoff salaries and chorus payments which are declared to have held up the sending out of a large number of units.

Orders Operators Back

Return of 55 Local 306 operators, discharged by 11 theatres when Allied M. P. operators were installed, has been ordered by James H. Hodgson, regional NRA compliance board chairman.

One Secretary for Each Board, Plan

(*Continued from page* 1)

pected to be set up about the middle of February, a number of grievances already have been received by authority headquarters in New York. They are being held until the boards start functioning and then will be sent to centers in which the complaints originated.

Numerous Film Board secretaries have been suggested for appointments to the 32 boards. These names are valid and are incorporated with other recommendations from which the Code Authority will choose secretaries. All suggestions for secretarial posts are to be given equal consideration.

Code Assents Total Over 6,000 to Date

(*Continued from page* 1)

are a number of qualifications, but they are listed separately and not on the assent form. These are being filed and will be submitted to the various clearance and zoning and grievance boards to act upon after they are set up.

Appointments by the committee of six are expected to be made early next month so that the 64 boards may start functioning about Feb. 15. The rules and regulations for these boards will probably be completed by Jan. 23, when the authority meets again. Regular meetings for the boards are expected to be set.

Rosenblatt Adds to Studio Extra Group

Division Administrator Sol A. Rosenblatt has increased the standing committee for studio extras from 13 to 15 with the addition of P. M. Friedman, casting director of Fox, and J. Bockley Russell. Others on the committee include Dr. A. H. Giannini, Mabel E. Kinney, Mrs. Una N. Hopkins, Fred Pelton, Dave Werner, M. H. Hoffman B. B. Kahane, Pat Casey, Charles Miller, Larry Steers, Lee Phelps, Allan Garcia and Fred D. Burns.

Rosenblatt's Coast Visit to Be Short

Division Administrator Sol A. Rosenblatt's Coast visit will be short and snappy. He leaves Friday and intends to make his trip as brief as possible. He will call a general meeting of all studio personnel and explain the code.

Rosenblatt will be in Hollywood for two weeks or less and it won't be a sightseeing trip. He's going to keep away from the studios as much as possible. His headquarters will be his hotel room.

Rosenblatt Not to Have an Alternate

No alternate will be appointed for Division Administrator Sol A. Rosenblatt at the next Code Authority session to be held next Tuesday at the Bar Assn. Bldg. at 2 P. M. Rosenblatt leaves for the coast on Friday. This will be the first authority meeting without Rosenblatt, but a record of the minutes will be forwarded to Washington.

Nose Fits Role

Hollywood, Jan. 15.—Walter Hartwig, New York stage producer and director, has been signed for a role in Fox's "Bottoms Up." The producer was cast for the part mainly because his nose was particularly suited for the screen characterization.

Milwaukee Debating Resuming Giveaways

MILWAUKEE, Jan. 15. — Rumors are rampant that giveaways by local theatres will flourish again as a result of the refusal of Circuit Judge Walter Schinz to grant Manning Silverman, local independent, a temporary injunction restraining the auto show, which opened Jan. 13 in the Auditorium, from raffling automobiles.

Silverman, operator of the Fern and Murray, neighborhood houses, and the Cameo in Kenosha, was himself recently accused of violating the lottery laws by presenting free baskets of groceries to lucky seat holders. He was acquitted.

At the same time, Charles Washicheck, operator of the Pearl, another neighborhood house, was fined $25 by Judge A. J. Hedding on the same charges. He appealed, and a municipal court jury in a sealed verdict acquitted him. Despite the acquittal, the district attorney's office announced that it would continue to prosecute all such cases in the future.

In the automobile show case Judge Schinz ruled that an amended complaint might be served. The hearing if any, is scheduled for Jan. 18. Meanwhile the show closes Jan. 20.

Assistant City Atty. William Quick argued "no cause of action" in the case, and charged that Silverman had no right to bring suit because he is not personally damaged.

Seeks State NRA Aid

Passage of a state law to supplement the NRA is being urged upon Governor Lehman by Henry F. Wolff, New York City NRA administrator.

Wolff contends there are many nonsigners on various industries who are furnishing unfair competition for signers. He also wants the Shackno law amended so that it will not be necessary to file certified copies of the President's re-employment agreement with the Secretary of State before a prosecution can be started.

Deny NRA Violation

Springer & Cocalis yesterday denied that employes of the circuit were being worked more than the NRA 40-hour weekly maximum, as charged in a complaint sent to the Regional Labor Board here last week by Local 118, B. S. E. I. U.

Cincy Election Delayed

CINCINNATI, Jan. 15.—Annual election of the Film Board of Trade, which normally is held about this time, has been postponed pending organization of the zone and clearance and grievance boards, and settlement of other code matters.

German Dual Ban May Hit U. S. Imports

(*Continued from page* 1)

revenue, as they will not have to be shown on dual bills.

One hopeful angle to the new regulations, Canty points out, is the fact that the Film Chamber intends to put the screws on "bad pay" exhibitors. The 15-cent minimum admission is being enforced for everyone except uniformed army and navy men and members of the Nazi uniformed forces.

Star billing has been ended, in spite of contracts. Hereafter stars' names must appear below the titles with other members of the cast also getting billing. Exhibitor contracts affected by the dual billing ban are voided.

Agitation over music royalties has reached the point, according to Canty's reports, where the Federal Cinema Assn. is urging that when producers buy music it include all publi exhibition rights, so that there will be no further charges to exhibitors. It is claimed this will be just to producer and composers and "thus will the danger for further misery be removed from the path of cinema owners, and therefore, indirectly for the film industry in its entirety. Only a vital German film trade can guarantee the composer a proper safeguard for his claims."

Huffman Tips Scale At Denver Orpheum

DENVER, Jan. 15.—The first boost in admission prices here in three months has been made by Harry Huffman at the Orpheum. The night top goes from 40 cents to 50 cents for the main floor and loges. Balcony remains at 40 cents. Matinee scales are unchanged at 25 and 35 cents.

The Orpheum scales were boosted from 25, 30 and 40 cents to 35, 40 and 50 cents, including tax, on Sept. 14, the time F. & M. shows were added. Shortly afterwards the 25-cent matinee price was restored and soon the top price was 40 cents again.

Al Lyons has been moved in from St. Louis and is now master of ceremonies and directs the band.

Prudential-Century Deal Meets Denial

(*Continued from page* 1)

tial and Century circuits on Long Island.

Joseph Seider, president of Prudential, vehemently denied the rumor, stating there was no foundation for the story and there has never been a conference between the parties on such a plan.

Charles Moses, general manager of the Century Circuit, declared there was nothing to the reports.

Gets Wider Distribution

Under territorial rights contracts closed by Charles J. Giegerich, sales manager for Celebrity Productions, more than 80 per cent distribution in America has been assured for the Powers "ComiColor Cartoon" series.

"Dinner" Is Twin Cities' Top, $16,000

MINNEAPOLIS, Jan. 15.—"Dinner at Eight" led grosses last week with $9,000 at the Minnesota in Minneapolis and $7,000 at the Paramount in St. Paul. The World did a corking business with "The Red Head," held over for a second week, making the most of the French feature by adding "Three Little Pigs" also in French.

Minneapolis total was $25,200. Average is $21,600. St. Paul's grosses totaled $18,350. Average is $15,500.

Estimated takings:

Minneapolis:

Week Ending Jan. 11

"BLOOD MONEY" (U. A.)

LYRIC—(1,238), 20c-25c, 7 days. **Gross:** $1,200. (Average, $1,500)

"DINNER AT EIGHT" (M-G-M)

MINNESOTA—(4,000), 25c-40c, 7 days. **Gross:** $9,000. (Average, $7,500)

Week Ending Jan. 12:

"FLYING DOWN TO RIO" (Radio)

RKO ORPHEUM—(2,900), 20c-40c, 7 days. **Gross:** $5,500. (Average, $5,500)

"I AM SUZANNE" (Fox)

STATE—(2,300), 25c-40c, 7 days. **Gross:** $6,000. (Average, $5,500.)

"THE RED HEAD" (French)

WORLD—(400), 25c-75c, 7 days, 2nd week. **Gross:** $3,500. (Average, $1,500)

St. Paul:

Week Ending Jan. 12:

"DINNER AT EIGHT" (M-G-M)

PARAMOUNT—(2,300), 25c-40c, 7 days. **Gross:** $7,000. (Average, $5,500)

"KENNEL MURDER CASE" (Warners)

RIVIERA—(1,200), 25c-40c, 3 days. **Gross:** $1,200. (Average for week, $3,500)

"WOMEN IN HIS LIFE" (M-G-M)

RIVIERA—(1,200), 25c-40c, 4 days. **Gross:** $3,000. (Average for week, $3,500)

"FLYING DOWN TO RIO" (Radio)

RKO ORPHEUM—(2,600), 20c-40c, 3 days. **Gross:** $2,000. (Average for week, $4,000)

"SON OF KONG" (Radio)

RKO ORPHEUM—(2,600), 20c-40c, 4 days. **Gross:** $2,500. (Average for week, $4,000)

"MYRT AND MARGE" (Univ.)

TOWER—(1,000), 15c-25c, 3 days. **Gross:** $900. (Average, $800)

"GIRL WITHOUT A ROOM" (Para.)

TOWER—(1,000), 15c-25c, 4 days. **Gross:** $750. (Average, $700)

"M" (Para.)

WORLD—(300), 25c-75c, 7 days. **Gross:** $1,000. (Average, $1,000)

Pine to Succeed Flinn

HOLLYWOOD, Jan. 15.—William Pine is returning to New York to take the post in the Paramount exploitation department held by John Flinn before he became Code Authority secretary, but will continue at the same time to supervise the west coast advertising department, which will be left in charge of his assistant, William Thomas. Pine will alternate between both offices.

Mack Laid to Rest

HOLLYWOOD, Jan. 15.—Charles Mack of the comedy team of Moran and Mack, who died in an automobile crash in Arizona last week, was buried today at Forest Lawn Cemetery following funeral services at his Black Crow ranch, Newhall. William S. Hart delivered the funeral oration. Many film notables were in the funeral procession.

Leases in Film Center

State Film Service Corp. has leased space for executive offices in the Film Center Building. The lease was negotiated by Erwin S. Wolfson, agent for the building.

Kentucky Bill Has Heavy Ticket Tax

(*Continued from page* 1)

a shock to exhibitors. They are organizing their opposition and expect help from all forms of organized sports, including racetracks, as these are included under the head of amusements.

Imposts are so heavy on many lines of business that it may result in a concentrated movement for a general sales tax which has been defeated several times. It includes a new three per cent tax on personal and gross income, taxes on soft drinks, toilet preparations, jewelry, radios, candy, chewing gum, playing cards and a variety of other things.

Cooper Sets Plans For 17 More at RKO

(*Continued from page* 1)

Crime Doctor," "Dance of Desire," "Strictly Dynamite," "Alien Corn," "Of Human Bondage," "Stingaree," "Fugitive from Glory," "Sea Girl," "Green Mansions," "The Devil's Disciple," "Murder on the Blackboard," "Frat Heads" and "Joan of Arc."

Hance Commerce Head

NEW ORLEANS, Jan. 15.—Monte Hance, manager of the Saenger, at Biloxi, has been elected president of the Association of Commerce.

Another Ad Tieup

New Orleans, Jan. 15.—A full-page ad tieup here in the *New Orleans States* on "Dinner at Eight" had Billie Burke in a flower ad, Edmund Lowe in Lowe Bros. pants ad, Jean Harlow in a hairdressing firm, Lionel Barrymore in perfumes, and Lee Tracy in Hiram Walker straight whiskey.

Quebec Decides Not To Levy New Taxes

MONTREAL, Jan. 15.—Quebec is the latest province to indicate no new or additional taxation for theatres or the industry in general will be imposed this year. The provincial parliament opened today.

Quebec closed the year with a deficit, but a decision that taxes are high enough all around has been reached. Previously the Dominion government and Ontario had decided against new taxes.

Nat Levine Mapping New Season Lineup

Nat Levine is mapping out his new lineup for next season during his visit here from the coast. He leaves for Chicago today and will return Thursday. Then, after another week in New York, he will go back to Hollywood.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Devil Tiger"

(Fox)

HOLLYWOOD, Jan. 15.—This travel film is a pip for thrilling animal combats in Malay jungles. There are so many exploitation angles that it's a cinch to corral the customers with just a little splash.

Here are most of the highlights that can be blown up into display type: The fight between the leopard and python, a crocodile and tiger gnashing at each other in a stream, a panther chasing a baby elephant which is later captured by the expedition, the fracas between a giant lizard and another jungle specie, a monkey trying to fight off three giant crabs at the same time, a match between the leopard and a tiger, the combat between a panther and a crocodile, fording a stream infested with vicious alligators which almost causes the loss of one native, the battle between the hyena and a black bear, the fight for life when Kane Richmond becomes entangled by a python, a scrappy session between a tiger and a lion, the elephant stampede, the set-to between a water buffalo and a 40-foot python and, finally the killing of the man-eating tiger. All the fights result in draws, except for the vulnerable python which is killed in the battle with Richmond.

That isn't all. Ah Lee, the mascot of the safari led by Harry Woods, is a treat. He's a youngster, and a brave one in face of the many dangers. There's a story surrounding the hunt for Devil Tiger. Richmond, with only time on his hands and looking for a job, joins Woods in the hunt for the man-eating terror. Later Marion Burns, whose father has been a victim of the tiger, goes with them. Richmond proves himself a hero in face of danger while Woods proves a coward. Woods makes a play for Miss Burns, but she prefers Richmond. When Woods is trampled to death in the elephant stampede that leaves the way open for the two lovers to romance without interference. They make their way out of the jungle safely, reaching a native village, their destination.

Clyde Elliott made this film in the heart of tropical Asia. It's a swell travel film and one of the best of its kind.

"Myrt and Marge," last night's preview at the Mayfair, was covered on Nov. 27.

Pickford Is Chicago Hit; Take $55,000

CHICAGO, Jan. 15.—Business was generally strong the past week with B. & K. recording a heavy take of $55,000 at the Chicago, due mainly to the personal appearance of Mary Pickford. Warner's "Easy to Love" was the screen attraction.

Across the street, Jones, Linick & Schaefer's State-Lake hung up the fine figure of $18,000 with Gene Dennis heading a vaudeville bill and "Goodbye, Love" on the screen. This gross is especially significant in view of the State-Lake prices of 20, 25 and 35 cents.

"Roman Scandals" continued strong at the United Artists, taking $16,000 in its third week.

The RKO Palace was $5,000 over par with "Counsellor at Law" and Milton Berle heading the stage bill.

Total first run business was $149,000. Average is $137,000.

Estimated takings:

Week Ending Jan. 11:

"EASY TO LOVE" (Warners)

CHICAGO—(4,000), 35c-50c-68c, 7 days. Mary Pickford in person in "The Church Mouse" on stage. Also Emile Boreo, Pops & Louie, Evans Dancing Girls. **Gross:** $55,000. (Average, $34,600)

"COUNSELLOR AT LAW" (Univ.)

PALACE—(2,509), 35c-50c-75c, 7 days. Milton Berle. Revue on stage. **Gross:** $27,000. (Average, $22,000)

"ALICE IN WONDERLAND" (Para.) (Second Loop Week)

ROOSEVELT—(1,591), 25c-35c-50c, 7 days. **Gross:** $8,000. (Average, $11,000)

Week Ending Jan. 12:

"DESIGN FOR LIVING" (Para.)

ORIENTAL—(3,940), 30c-40c-60c, 3rd week, 7 days. **Gross:** $11,000. (Average, $23,000)

Week Ending Jan. 13:

"CONVENTION CITY" (F. N.)

McVICKERS—(2,284), 30c-40c-60c, 7 days. **Gross:** $14,000. (Average, $13,000)

"ROMAN SCANDALS" (U. A.)

UNITED ARTISTS—(1,700), 30c-40c-60c, 3rd week, 7 days. **Gross:** $16,000. (Average, $17,000)

"GOODBYE LOVE" (Radio)

STATE-LAKE—(2,776), 20c-25c-35c, 7 days. Gene Dennis and vaudeville. **Gross:** $18,000. (Average, $17,000)

Pizor in Principal Deal

William Pizor has closed a deal with Nat Cherin, president of Principal Film Exchange, for distribution in New York and northern New Jersey of "Polynesian Follies," three-reeler; "The Voice of Syama," four-reeler, and four one-reelers, "The Sweetest Story Ever Told," "New York Daze," "The Wrong Bedroom" and a musical review.

Lovelace with Fox Here

HOLLYWOOD, Jan. 15.—Hunter Lovelace, story agent, has been appointed editor of the Fox story department in New York. John Mock, former assistant to Julian Johnston, becomes head of the reading staff at the same office.

Crawford to Eastern Post

HOLLYWOOD, Jan. 15. — William Crawford, former assistant to Jack Gains, goes east as general representave of the Fox studio, with Joseph Pincus continuing as talent scout and head of the screen test department in New York.

Cantor Is $19,700 Wow in Providence

PROVIDENCE, Jan. 15.—Eddie Cantor skyrocketed grosses at Loew's State up to $19,700 last week. Press raves and general popularity of the star helped out.

"Mr. Skitch" was another strong attraction at the Majestic, netting $7,800.

In its second week, "Flying Down to Rio" caught a par $7,000 at the RKO Albee, and a vaudefilm bill headed by "Molasses and January" of radio fame helped to boost the Fay total to $7,500.

Total first run business was $52,900. Average business is $40,500.

Estimated takings for the week ending Jan. 12:

"DESIGN FOR LIVING" (Para.)
"RAINBOW OVER BROADWAY" (Chesterfield)
PARAMOUNT—(2,300), 15c-40c, 9 days. **Gross:** $9,800. (Average, $6,500.)

"MR SKITCH" (Fox)
"HOUSE ON 56TH ST." (Warners)
MAJESTIC—(2,400), 15c-40c, 7 days. **Gross:** $7,800. (Average, $7,000.)

"ROMAN SCANDALS" (U. A.)
LOEW'S STATE—(3,800), 15c-40c, 7 days. Stage: Lew Parker and company. **Gross:** $19,700. (Average, $12,000.)

"I WAS A SPY" (Fox)
FAY'S — (1,600), 15c-40c, 7 days. "Molasses and January" on stage. **Gross:** $7,500. (Average, $7,000.)

"FLYING DOWN TO RIO" (Radio)
"FOG" (Col.)
RKO ALBEE—(2,300), 15c-40c, 2nd week. **Gross:** $7,000. (Average, $7,000.)

"BEFORE MORNING" (Monogram)
"HER MAD NIGHT" (Chesterfield)
RKO VICTORY—(1,600), 10c-25c, 4 days. **Gross:** $1,100. (Average, $1,000).

Saenger Suit Permitted

NEW ORLEANS, Jan. 15. — Suit against E. V. Richards as receiver for Saenger Theatres, Inc., for alleged violation of the copyright law at the Saenger before receivership, is expected shortly as a result of permission granted by Federal Judge Wayne G. Borah to the Society of European Stage Authors and Composers.

Friedlander to Tour

Al Friedlander today leaves for Washington on the first leg of a tour of all First Division exchanges. He'll be gone about three weeks.

Michalson a Colonel

PITTSBURGH, Jan. 15.—Harry Michalson district sales manager for RKO, is the latest Kentucky colonel.

MOTION PICTURE ALMANAC
1934-35
NOW IN PREPARATION
WHERE THE WORLD LOOKS FOR MOTION PICTURE facts
PRICE $5.00

Theatre Grosses Jump in Five Key Spots for Week

(*Continued from page* 1)

on the stage at the Paramount. The $22,000 gross was $4,000 better than average. "Dancing Lady" took a good $15,000 at Loew's State, and "House on 56th Street" was strong at both Warners' Downtown and Hollywood. The gross at the former was $15,000 and at the latter $13,000.

There was also a noticeable pickup in Chicago, where the total first run gross of $149,000 topped normal by $9,000. Mary Pickford sent the Chicago gross up to $55,000, with "Easy to Love" on the screen. Average in recent weeks has been $34,600. "Counsellor at Law" on the Palace screen and Milton Berle on the stage piled up $27,000. "Convention City" was $1,000 up at $14,000 at McVickers and "Goodbye Love" did an above-normal business at the State Lake with $18,000. "Roman Scandals" held up to $16,000 in its third week at United Artists.

"Women" Big in Oklahoma

"Little Women" ran away with top honors in Oklahoma City, taking $8,500 at the Criterion, over normal by $3,500. Other first runs were a bit weak as a result. "After Tonight" suffered at the Capitol, "Sitting Pretty" was badly off at the Midwest, but a split week of "Frontier Marshal" and "Bombay Mail" was better than normal at the Liberty.

George White's "Scandals," in tabloid form, turned things upside down in Pittsburgh, where the Pitt not only boosted the tariff to 50 cents but put on a midnight Sunday show as well. The gross went to $12,000. Normal is $4,500. The picture was "Above the Clouds." As a result, only two other first runs did good business. "Flying Down to Rio," with $14,000 at the Stanley, and "Son of Kong," with $6,900 at the Warner, were the two. "As Husbands Go" and "Sitting Pretty" were weak at the Fulton and Penn.

"Dinner" Hit in Twin Cities

"Dinner at Eight" proved its drawing power in both Minneapolis and St. Paul. It took $9,000 at the Minnesota and $7,000 at the St. Paul Paramount. "Flying Down to Rio" was good for $5,500 at the Minneapolis Orpheum, but it fell down to $2,000 about half the normal weekly take, at the St. Paul Orpheum and made way for "Son of Kong" at the end of three days. "I Am Suzanne" grossed a good $6,000 at the State in Minneapolis and "The Red Head," a French picture, was a surprise at $3,500 in the World.

"Roman Scandals" knocked Providence calculations for the well known loop last week by hitting a remarkable $19,700 at Loew's State. This tops normal by $7,700. "Mr. Skitch" topped a dual bill with "House on 56th Street" at the Majestic and garnered $7,800. "Design for Living" and "Rainbow Over Broadway" were strong at the Paramount, the $9,800 gross being $3,200 up. "I was a Spy" was $500 up at $7,500 in Fay's, with "Molasses and January" on the stage.

Montreal felt the holiday spirit brought on by the Feast of the Nativity. All grosses were good, with "Her Sweetheart" leading at $11,000, up by $2,000, at the Capitol. "Hoopla," at Loew's with six vaudeville acts, grossed $10,500. "Little Women" took $10,500 in its second week at the Palace, and a dual bill of "Roman Scandals" and "Master of Men" was strong at $9,000.

Omaha Also Likes "Dinner"

"Dinner at Eight" rang the bell at Omaha, going to a heavy $8,500 at the Paramount. "Flying Down to Rio" held up to $3,000 in its holdover at the Brandeis. "House on 56th Street" was good for $7,000 at the Orpheum. "Lady Killer" and "The Chief" were even at $5,500 in the World.

Seattle turned out in a big way for "Mr. Skitch." It pulled $8,250 at the Fifth Avenue. "The Private Life of Henry VIII" had a strong second week with $3,750 at the Blue Mouse. The Liberty had a good $4,250 take with "The Thundering Herd" and "His Private Secretary." At the Paramount "Dancing Lady," a second run, was good for $4,000. "From Headquarters" and "Smoky" at the Orpheum and "Bombay Mail" at the Roxy were fair.

"Dinner at Eight" continued a strong second week draw on Broadway with a $41,533 gross at the Capitol, and "By Candlelight" gave the Roxy $28,200. "Roman Scandals" held up to $24,832 in its third week at the Rivoli. "Lady Killer" took $14,505 in its second week at the Strand. "House on 56th Street" fell off to $5,816 in its sixth week at the Hollywood.

'Women' Oklahoma Smash with $8,500

OKLAHOMA CITY, Jan. 15.—"Little Women" at the Criterion had all the business here last week. The picture grossed $8,500, which is $3,500 above average.

"After Tonight," playing at the Capitol, took $2,000, below average by $500. "Sitting Pretty" at the Midwest did $3,500 and was off par by $1,500. The Liberty with two changes, "Frontier Marshal," four days, and "Bombay Mail," three days grossed $2,100 for the week.

First run take was $16,100. Average is $14,500.

Estimated takings for the week ending Jan. 13:

"LITTLE WOMEN" (Radio)
CRITERION—(1,700), 10c-20c-26c-36c-41c-56c, 7 days. **Gross:** $8,500. (Average $5,000)

"SITTING PRETTY" (Para.)
MIDWEST—(1,500), 10c-26c-36c-56c, 7 days. **Gross:** $3,500. (Average, $5,000)

"AFTER TONIGHT" (Radio)
CAPITOL—(1,200), 10c-20c-26c-36c-41c, 7 days. **Gross:** $2,000. (Average, $2,500.)

"FRONTIER MARSHAL" (Fox)
LIBERTY—(1,500), 10c-15c-26c-36c, 4 days. **Gross:** $1,200. (Average week, $2,000)

"BOMBAY MAIL" (Univ.)
LIBERTY—(1,500), 10c-15c-26c-36c, 7 days. **Gross:** $900. (Average week, $2,000)

Schenck Returning

LONDON, Jan. 15. — Joseph M. Schenck unexpectedly returns to New York this week. London insiders hear the call was urgent.

The United Artists president was slated to sail for New York on Jan. 20, as per schedule. If his return was marked "urgent," the reason is not known here, Al Lichtman states yesterday.

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The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 35. NO. 14 NEW YORK, WEDNESDAY, JANUARY 17, 1934 TEN CENTS

New Missouri Tax Hits All Film Service

Advertising as Well as Tickets Included

KANSAS CITY, Jan. 16—Although ailers in general and most other ustries will pass the newly-enacted ssouri "privilege" tax on to the con- ner, theatres will absorb the assess- nt, as no way can be found to add one-half of 1 per cent tax to ad- sion prices. While the rate of taxa- n seems small in itself, when stacked against the yearly grosses of thea- s in the state, it will amount to a all fortune.

n addition to being hit directly, ustry income in the state will be reciated by the new legislation in ny other ways. All merchandise d at retail, utility services and prac- lly everything else is subject to the . The exhibitors' advertising bill l be increased heavily, as the law cifically includes newspaper adver- ng and services, billboards and all er forms of outdoor advertising. Admissions to all amusements and letic events are now taxed, as well electric current and gas service, graph and telephone services, sales tickets on all transportation and ck lines, and laundry and cleaning

(Continued on page 6)

Virginia Governor For 5% Ticket Tax

RICHMOND, Jan. 16—George C. ery, who becomes governor tomor- v, will recommend a five per cent ket tax, but no increase in the seat- tax, it became known today.

Rumors of the impending recom- ndations have been current for ne time and members of the newly anized M.P.T.O. unit have been

(Continued on page 6)

Seattle Row Ended; Stage Shows Return

SEATTLE, Jan. 16.— Difficulties be- en the musicians' union and Ever- en State Theatres, Inc., that have t music out of first run houses in city for more than a year have n settled, according to Frank L. wman, general manager.

As a result, the Paramount next week l resume stage presentations, featur- a 15-piece orchestra directed by es Buffano, former master of cere- nies for F. & M.

Court to Rule Soon on Erpi Vs. Vitaphone

Case Long Contested in Delaware Courts

WILMINGTON, Jan. 16—A decree in the case of Erpi against the Vitaphone Corp. will be handed down on Feb. 6 by the Supreme Court of Delaware, it was announced here today, as the court opened its special January session at Dover. The case is said to involve claims of at least $50,000,000 damages. The argument was heard Oct. 25, last, at which time a decision was reserved.

Erpi counsel sent the case to the Supreme Court in an effort to upset the decree handed down by Chancery Court here last August. The decree would have required Erpi to file an answer to the suit filed against it by Vitaphone.

Erpi argued that the Chancery Court had erred in not holding that

(Continued on page 6)

Scales in St. Louis Await F. & M. Deal

ST. LOUIS, Jan. 16—Independent theatre owners are anxiously awaiting the outcome of negotiations of F. & M. for control of the Fox and its effect on the price war in the first run field.

The neighborhood houses have been hard hit by the dual bill policy of the St. Louis and Fox theatres with stage shows at 20 and 25 cents matinees. With that sort of competition, it is difficult for the smaller theatres to maintain their scales of 10 cents for children and 25 cents.

The fact that the Fox has eliminated its stage show may help some, but the big obstacle is that the scales of the first run houses afternoons is only 25 cents. Some of the independents

(Continued on page 2)

Means Again Heads K. C. Independents

KANSAS CITY, Jan. 16.—Jay Means has been reelected a third time as president of the Independent Theatre Owners of Greater Kansas City. Other officers, also reelected, are: Vice-president, Charles Vaughan, Kansas City, Kan.; treasurer, Charles Potter, and secretary, Mrs. A. Baier.

A discussion on the industry code revealed that most of the members intend to sign and send in assent forms, while among others there is an air of indecision.

Roxy Has No Plans

Denying reports he would sign up with Columbia Broadcasting System, S. L. (Roxy) Rothafel yesterday stated he has not yet made any plans. He leaves for a vacation this week and upon his return will then negotiate offers.

NRA Questionnaire Stirs Coast Furore

HOLLYWOOD, Jan. 16.—General opposition is being voiced by company executives to answering the searching NRA questionnaire on salaries. The stand is taken that the questionnaire is not mandatory under the law, but is merely a request for cooperation.

"If we feel like filling it out, we will; if we don't, we won't," is the attitude taken by some.

WASHINGTON, Jan. 16.—Return of the first completed salary questionnaire was announced today by Division Administrator Sol A. Rosenblatt. It was submitted by an exhibitor circuit.

Failure to fill out and return questionnaires would constitute a violation of the code and would probably be turned over to the Code Authority for action, it was explained. It is not anticipated, however, there will be any refusals to furnish the information demanded.

Few Outsiders Join Writers' Code Move

HOLLYWOOD, Jan. 16.—Only a handful of outsiders participated in the Writers' Guild formal selection of representatives for code committees.

The selections were: Code Authority, John Howard Lawson; agents' committee, Ernest Pascal, Wells Root; writer-producer committee, Oliver H. P. Garrett, Rupert Hughes, Ralph Block, John F. Natteford, Seton I.

(Continued on page 6)

Closer East-West Contact, Hays Aim

Further cementing of relations between east and west coast executives will engage attention of Will H. Hays on his 12th winter trip to Hollywood. He started for the coast yesterday afternoon.

The executive committee of the M.P.P.D.A. met yesterday and, among other business, formally welcomed Walt Disney Prod. to membership.

Dark Houses Drop 1,260 During Year

Total Is Down to 4,635 As Optimism Grows

Closed theatres decreased by 1,260 during 1933, leaving the total of dark houses only 4,635 at the beginning of the year, according to reports from Film Boards of Trade in the 31 key cities of the United States. This is taken to indicate returning optimism among exhibitors in all sections.

The closed houses number 1,979 sound and 2,656 silent at present.

During the year 940 houses passed out of existence, reducing the total to 18,371. The seating capacity has dropped from 11,161,193 to 11,028,950.

Affiliated circuits lost 312 houses and unaffiliated dropped 343, but the losses for the former were apparently large theatres as the reduction in seating capacity was 351,001, while for the unaffiliateds it was only 68,343. The total of affiliated circuit houses is now 1,954 with a seating capacity of 2,586,643, and the total of unaffiliated is 2,846 with a seating capacity of 2,493,383.

Losses of big theatres by circuits were apparently taken up by independents. The tabulation shows there are

(Continued on page 6)

NRA Deputy Hears Local 306 Charges

Code violation charges preferred by Local 306 against the I.T.O.A. were heard yesterday before Assistant Deputy Administrator Farnsworth at the Customs House. Farnsworth was delegated by Division Administrator Sol A. Rosenblatt to hear the case.

Rendering no decision, Farnsworth turned the matter over to Mrs. Eleanor Herrick of the Labor Compliance

(Continued on page 6)

Exhibitors Praise Authority's Moves

Letters of commendation for the setup of the Code Authority have been received by the authority from exhibitors from all over the country. Many such messages are accompanying code assents and recommendations for the 32 clearance and zoning and grievance boards.

There is an eager desire expressed by exhibitors to get the various boards

(Continued on page 6)

MOTION PICTURE DAILY

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Kansas City Union Elects

KANSAS CITY, Jan. 16.—Theatrical Stage Employes' Local 31, I. A. T. S. E., Kansas City, has elected these officers for the ensuing year: President, J. R. Sanderson; vice-president, C. Donovan; recording secretary, V. Hudson; financial secretary, J. Caldwell; treasurer, Julius Ehrlich; sergeant-at-arms, C. J. Klausen; guide, Charles E. Newby; reading clerk, L. P. Hyre; executive board, Sanderson, Donovan, Edward Purcell, H. H. Milligan and Walter Brown.

Felix Snow, business representative, was again named and will serve to April, 1935.

Harry Gold in N. O.

NEW ORLEANS, Jan. 16.—Harry Gold of United Artists arrived here today. He is expected to handle United Artists' sales policies on subsequent runs. This exchange has not been selling in certain situations, evidently awaiting Gold's arrival.

Loew Pfd. Soars 5⅝ Points

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	25	25	25	— ¾	200
Consolidated Film Industries	3⅜	3¼	3¼	—	1,000
Consolidated Film Industries, pfd	13¼	12⅜	12⅝	— ⅜	2,500
Eastman Kodak	84½	83½	84½	+2½	2,400
Eastman Kodak, pfd	122	120	120	—3½	4,000
Fox Film "A"	14½	14	14	.....	1,600
Loew's, Inc.	28¼	27¼	27¼	— ½	17,300
Loew's, Inc., pfd	79¾	79¾	79¾	+5⅝	100
M-G-M, pfd.	22	22	22	+ ¼	100
Paramount, cts.	2⅞	2¾	2⅞	.....	10,900
Pathe Exchange	2	1⅝	2	+ ¼	2,100
Pathe Exchange "A"	12¼	12	12	— ¼	200
RKO	2¾	2⅝	2⅝	.....	2,100
Warner Bros.	6⅛	5¾	6	+ ⅛	8,500

Technicolor Lone Curb Issue

	High	Low	Close	Net Change	Sales
Technicolor	8⅞	8⅞	8⅞	+ ⅜	200

Most Bonds Show Gain

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	5½	5	5¼	.....	12
General Theatre Equipment 6s '40, ctf	5½	5⅛	5½	+ ¾	9
Keith B. F. 6s '46	54¾	54¼	54¾	+ ¾	2
Loew's 6s '41, ww deh rights	90	88¼	90	.....	12
Paramount Broadway 5½s '51	37¾	37½	37½	+ ⅜	4
Paramount F. L. 6s '47	39	37⅞	39	+1	25
Paramount Publix 5½s '50	39	38	38¼	+ ¾	58
Pathe 7s '37, ww	88½	88	88½	+ ½	4
Warner Bros. 6s '39, wd	45½	44⅛	45	+ ⅝	115

Delay Miller Hearing

CHICAGO, Jan. 16.—Hearing on contempt charges against Jack Miller growing out of his alleged refusal to give clear information to the Grand Jury about alleged payments to Tom Maloy, head of the operators' union, has been continued until Saturday.

Maloy's income tax reports are under investigation by the Federal government.

Metzgers Leave Hospital

KANSAS CITY, Jan. 16.—Lou B. Metzger, San Diego theatre operator, and Mrs. Metzger have resumed their return trip to the coast after five days in the Menorah Hospital here recovering from the flu. They became ill on the train following their departure from New York and were rushed to the hospital on their arrival in Kansas City.

Burr Hearing Set Jan. 23

LOS ANGELES, Jan. 16—A bankruptcy hearing will be held here on Jan. 23 in the offices of Referee R. B. Turnbull to hear the trustee's first and final report, accounting and petition to close the estate of Charles C. Burr, producer.

Obtains Foreign Rights

J. H. Hoffberg Co., Inc., has acquired the foreign rights to two westerns featuring Lane Chandler, "Battling Buckaroo" and "The Texas Tornado," from Willis Kent. The firm has also obtained distribution rights to "The Mystic Hour."

Purely Personal

STAN SHUFORD returned to his Warner post yesterday and immediately found himself knee-deep in engravers, typesetters and printers. Florida sun has tanned him a brown berry hue. Feels grand, too.

MORTON GOLDSTEIN, formerly connected with Warners, has been appointed second assistant manager at Loew's New York.

JULES LEVY hits back into town in a couple of days.

Scales in St. Louis Await F. & M. Deal

(*Continued from page* 1)

have been talking seriously of cutting to 10 cents for adults. However, they have agreed to hold another few weeks to see what happens on Grand Boulevard.

Loew Meeting Set Back

Stockholders of Loew's, Inc., have postponed their meeting for a month because of their inability to obtain a quorum at this time. It was stated that a committee representing the noteholders of Film Securities Corp., who are the owners of 660,900 shares of Loew's stock, feels they should have the opportunity to vote and, as they have not had time to transfer the stock to their names at least 20 days prior to the meeting, the additional time has been granted.

Theatre Architect Dies

PASADENA, Jan. 16—Leon H. Lempert, theatre architect, died here yesterday at his home at the age of 66, after a long illness.

Pickford at Hub Met

BOSTON, Jan. 16—Mary Pickford is scheduled to make a personal appearance here at the Boston Metropolitan, beginning Jan. 19.

"Hi, Nellie"

TWO LITTLE WORDS THAT MEAN A GOLD MINE FROM WARNER BROS.

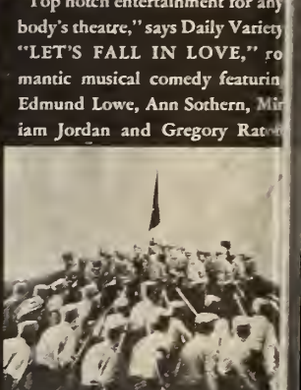
Spot News from Columbia



Colleen Moore is more dynamic than ever in a gay romantic comedy with music, "SOCIAL REGISTER," featuring a superb cast. Directed by Marshall Neilan. Associate producer William C. De Mille.



"Top notch entertainment for any body's theatre," says Daily Variety "LET'S FALL IN LOVE," ro mantic musical comedy featurin Edmund Lowe, Ann Sothern, Mir iam Jordan and Gregory Rat



Praiseworthy reports on Frank Bo zage's "NO GREATER GLORY predict a sensational success f this screen masterpiece—based the world famous novel by Fere Molnar.



Lou Holtz, Leon Erroi, Jack Oste man and Arthur Jarrett are ma ing *good* shows *better* shows Columbia's 2-reel MUSICA COMEDIES.

So rich in every human emotion that –

TWO OF THE SCREEN'S MOST POPULAR STARS GIVE *Fully* OF THEIR BOUNDLESS GENIUS



● Drama . . . romance . . . humanness . . . humor . . . abound in this completely appealing picture. A wisp of a girl bursts like a ray of sunshine into a sleepy Carolina plantation . . . tumbles cobwebby tradition . . . awakens a new joyous spirit . . . stirs up excitement. Into-the-heart entertainment . . . bigger than "State Fair"!

JANET GAYNOR
LIONEL BARRYMORE

in

"CAROLINA"

ROBERT YOUNG • HENRIETTA CROSMAN
RICHARD CROMWELL • MONA BARRIE
STEPIN FETCHIT

Directed by HENRY KING. From "The House of Connelly" by Paul Green

FOX production

r patrons
ways like
FOX
VIETONE
NEWS



CARL LAEMMLE

Presents

A B. F. Zeidman Production —

with

JOHN BOLES
GLORIA STUART

Morgan Farley, Ruth Hall, Albert Conti, Dorothy Peterson, Edmund Breese, Richard Carle, Lucille Gleason, Mae Busch, Jimmy Butler. Story by Paul Gangelin. Directed by VICTOR SCHERTZINGER.



"AN ACE ATTRACTION"

Says Daily Variety, continuing:

" 'Beloved' is a running mate for 'Only Yesterday.' Story, direction, casting and individual performances all bespeak a thoughtfulness in production that most pictures lack...NOTHING IS MISSED TO MAKE IT ACE ENTERTAINMENT, particularly for the women."



Says Hollywood Reporter:

"Aimed directly at the feminine half of the audience and played throughout in the key of old-fashioned romance—the kind that lasts a lifetime..."

Says Motion Picture Herald:

"It is completely off the beaten track of the current musical trend...High class entertainment . . . There is exciting color all the way through."

Dark Houses Drop 1,260 During Year

(Continued from page 1)

now 13,571 independent houses, a drop of 225, but the seating capacity has increased 363,095 to a total of 5,948,925.

Sound houses increased by 431 to a total of 15,652 and silent dropped 1,361 to a total of 2,719. The number of closed houses decreased in both the sound and silent classifications. The decrease for the sound houses was 191, leaving the total of 1,979.

Philadelphia Seats Up; Theatres Down

PHILADELPHIA, Jan. 16.—Although there is a decrease of 14 theatres from last year's survey, an increase of 275 seats is noted in the annual compilation of the Film Board of Trade. In this territory there are 768 houses, of which 193 are in this city alone.

Total seating capacity for this area is 663,169. There are 52 theatres closed, 181 affiliated theatres, 90 unaffiliated and 497 independent houses.

Asks That Boston's Teachers Pick Films

BOSTON, Jan. 16.—In recommendations submitted to the Boston School Committee for consideration as major questions this year, Chairman Maurice J. Tobin asks for the appointment of a council of teachers who shall pass upon all films and submit an approved list monthly to the parents of all public school children. This recommendation was one of six and these are to be taken up later by the committee.

Brown, Geyer Resign From Empire Films

TORONTO, Jan. 16.—Emanuel Brown has resigned as general manager of Empire Films, Ltd. He has been succeeded by Arthur W. Perry, formerly Ontario branch manager. Ernie Geyer, director of publicity, also has resigned. Brown lived in Hollywood before coming here.

Fire Damages Ohio House

WILMINGTON, O., Jan. 16—Fire, believed to have started from a cigarette tossed on the stage of the Murphy, caused damage estimated at $25,000.

The house, largest in this section, built in 1918 at a cost of $350,000, was given the city by the late Charles Webb Murphy, former owner of the Chicago Cubs. It is under lease to Phil Chakeres.

Approximately 700 patrons left the theatre without disorder when the fire started.

More on Soviet Film

"Shanghai Document" will be shown at the New School for Social Research on Jan. 27 as the fourth in the series of film showings on "The History of the Soviet Film" being sponsored by the Film and Photo League.

Court to Rule Soon on Erpi Vs. Vitaphone

(Continued from page 1)

Vitaphone is barred from any prosecuting action under three agreements entered into between the two, and that Vitaphone is compelled to submit all disputes to arbitration in New York, under the state arbitration law. Vitaphone charges Erpi violated its agreements by charging producers licensed by Erpi to use talking picture apparatus at $500 a reel royalty, instead of eight per cent of the gross profits derived from the use of the licenses.

A decision has been handed down by the U. S. Circuit Court of Appeals here sustaining U. S. District Judge Inch's ruling that Western Electric had not infringed on the patents of the Aleograph Co. Erpi says this case is similar to ones already decided at Dallas and New Orleans.

Labor Board Defers Hearing on N. O. Row

WASHINGTON, Jan. 16.—Indefinite postponement of the hearing on the New Orleans labor dispute, scheduled to come before the National Labor Board today, has been ordered by the board on a showing by both sides of an expectation of an agreement without formal action.

A considerable number of compliance matters and unfair trade practice complaints have already been ironed out, it was stated by Division Administrator Sol A. Rosenblatt, who cited adjustment of 43 trade practice cases involving exhibitors and 33 labor disputes, with three arbitrations now in progress. Every extra compliance case has been settled, he said.

A dispute involving an Ed Dubinsky theatre has been turned over to the St. Louis regional labor board for consideration.

Delaware-Maryland Men to Sign Again

WILMINGTON, Jan. 16—The Independent M.P.T.O. of Delaware and the Eastern Shore of Maryland will meet at Harrington, Del., Thursday, to again sign the code. At the last monthly meeting in Harrington in December, the independents unanimously approved and signed the code collectively. NRA officials in Washington have requested them to sign individually. President A. Joseph DeFiore will preside. The organization comprises the membership of more than 30 houses throughout Delaware and the eastern section of Maryland.

Seek Rosenblatt Talks

WASHINGTON, Jan. 16.—Division Administrator Sol A. Rosenblatt has received a number of invitations to speak while in California, but is making no engagements until he gets there. His only present engagement in the east is to address the National Board of Review at the Hotel Pennsylvania, New York, Feb. 9.

Exhibitors Praise Authority's Moves

(Continued from page 1)

operating as soon as possible and the authority is anxious to do this. It is anticipated that all appointments will be made before the middle of next month and operations will follow shortly after.

Units of the M.P.T.O.A., Allied and members of the Federation of the M. P. Industry already have sent in suggestions for appointments to the 32 boards. Each key city is represented in the lists on file and it is felt little difficulty will be experienced, if any, in naming the best men in all territories. Those selected will be chosen only from the lists submitted.

Yesterday's list of suggestions found a total of 41 names, an increase of 31 over the previous day. The new group covers 12 exchange centers. The recommendations as listed by the Code Authority follow:

Albany—Jane Halloran.
Atlanta—Lionel H. Keone, Tony Sudekem, John Evans, Sherwood L. Astin, Mrs. Alonzo Richardson.
Chicago—Alex Manta, J. Goldberg, James Fushanes, V. U. Young.
Indianapolis—I. M. Halpern, Alex Manta, Ross Garver, George Heliotes, Arthur Howard, Sam W. Neall, Frank Carey, Roy Harrold, H. P. Vonderschmitt, Maurice Rubin, Robert Scherer, Oscar Fine, Arthur Bennett, Walter Easley, Ernest Miller.
Kansas City—Robert V. Marchbank.
Memphis—L. F. Haven, Cecil Cupp, Jack Arnold.
Minneapolis—Mabel M. Dietz.
New Orleans—Mrs. J. B. Heinie.
Omaha—Henry Monsky, Dean Martin.
San Francisco—Rowena Foley.
Seattle—Roberta B. Lynch.
Washington—Samuel Wheeler, Samuel Flax, L. C. Garman, Walter Pacy, Samuel Soltz, Thomas Goldberg.

NRA Deputy Hears Local 306 Charges

(Continued from page 1)

Board, and James H. Hodgson, regional NRA compliance chairman, for interpretation. Attending the meeting were Harry Sherman, president, and Samuel Birnbaum, attorney for Local 306; Harry Brandt, president and Milton C. Weisman, counsel, for the I.T.O.A.

Murray Harstn, attorney for Allied M. P. Operators' Union, denied Hodgson had ruled the return of 55 operators discharged by 11 theatres when Allied men were installed. He said: "To my knowledge no such ruling had been made ordering the return of 55 Local 306 operators to the booths where they were formerly employed and where Allied M. P. Operators are now employed; that at the meeting today before Mr. Hodgson the article was called to his attention and a specific denial on the part of Mr. Hodgson as to such a ruling at this time was given."

Few Outsiders Join Writers' Code Move

(Continued from page 1)

Miller, Gladys Lehman, Samuel K. Ornitz, John Emerson, James Gleason.

Division Administrator Sol A. Rosenblatt will select five from this group.

"U" Plans "Black Cat"

Universal is planning an early production of Edgar Allan Poe's "The Black Cat." Edgar Ullmer has been assigned as director and Boris Karloff will probably be starred.

New Missouri Tax Hits All Film Service

(Continued from page 1)

services, to mention a few for which the industry will have to pay higher prices as a result of the tax.

Returns must be made monthly on the gross receipts, the last return under the act being on or before Jan. 15, 1936, for the month of Dec. 1935. The law, an emergency measure, becomes inoperative at that time. The state auditor is empowered to examine records and books. Delinquent sales taxes bear interest at the rate of one-half of one per cent per month until paid.

Estimates on the amount the tax will raise range from about $5,000,000 to $7,000,000. Revenue will be used to replenish the state treasury and will be devoted to the school fund and unemployment relief.

ST. LOUIS, Jan. 16—Fred Wehrenberg, president of the M.P.T.O. of St. Louis, Eastern Missouri and Southern Illinois, is satisfied with the new one-half of one per cent sales tax, because the film business was not singled out for special taxation.

One of the tax bills defeated provided for a tax of one and one-half cents on tickets up to 25 cents, and graduating from that point up to 20 cents for a $2 ticket.

Virginia Governor For 5% Ticket Tax

(Continued from page 1)

conducting a campaign among legislators against the proposal. The license tax already produces a revenue of $22,000.

RICHMOND, Jan. 16—Senator George W. Layman will be among the supporters of Sunday liberalization bills in the present session of the Legislature.

While he does not go so far as to predict the passage of the bills at this session he points out that there are 50 new members in the Assembly, and there is a growing feeling that Virginia towns should have local option in deciding on Sunday amusements.

Roxy Cheese Club Guest

S. L. (Roxy) Rothafel, Frank Buck, "Prince" Mike Romanoff, Ferde Grofe and Marek Windheim were feted by the Cheese Club yesterday. About 60 attended.

"Nana" to Music Hall

"Nana," the Samuel Goldwyn production for United Artists release, was booked yesterday by the Music Hall, to open Feb. 1. It marks the second U. A. film for the house.

Ampa Meeting Private

Due to organization matters slated for discussion, the Ampa meeting tomorrow will be a closed session.

This is



ANNA STEN

"The public will accept her with enthusiasm and acclaim."

HOLLYWOOD REPORTER

"Women" 3rd Week Hit in Grauman Run

Los Angeles, Jan. 16. — Business has taken a decided upswing in this territory. "Little Women" was a third-week hit at Grauman's Chinese, going $5,250 over normal for a gross of $19,250.

"Mrs. Fane's Baby Is Stolen," with Guy Lombardo and his orchestra on the stage, hit $22,000 at the Paramount. This tops par by $4,000.

"Dancing Lady" was strong at Loew's State, "Women In His Life" was well up at Pantages, and "The House on 56th Street" was better than normal at both Warners' Downtown and Hollywood houses.

Total first run business was $120,463. Average is $117,150.

Estimated takings for the week ending Jan. 10:

"LITTLE WOMEN" (Radio)
CHINESE—(2,500), 50c-$1.65, 3rd week, 7 days. Sid Grauman prologue. **Gross:** $19,250. (Average, $14,000.)

"ELYSIA" (Foy Prod.)
CRITERION—(1,610), 25c-40c, 7th week, 7 days. **Gross:** $4,500. (Average, $2,800.)

"WALTZ TIME" (Gaumont-British)
"THE FILM PARADE" (Blackton)
FILMARTE — (800), 40c-50c, 7 days. **Gross:** $1,850. (Average, $2,650.)

"I AM SUZANNE" (Fox)
4 STAR—(900), 50c-75c, 3rd week, 7 days. **Gross:** $2,433. (Average, $4,500.)

"DANCING LADY" (M-G-M)
LOEW'S STATE—(2,413), 25c-40c, 2nd week, 7 days. **Gross:** $15,000. Average, $14,000.)

"LOVE, HONOR & OH BABY" (Univ)
"BEFORE MIDNIGHT" (Col.)
LOS ANGELES—(3,000), 15c-25c, 7 days. **Gross:** $4,200. (Average, $3,700.)

"WOMEN IN HIS LIFE" (M-G-M)
PANTAGES—(3,000), 25c-55c, 7 days. Stage show. **Gross:** $7,330. (Average, $7,000.)

"MISS FANE'S BABY IS STOLEN" (Para.)
PARAMOUNT—(3,595), 25c-40c, 7 days. Stage show, Guy Lombardo and his orchestra. **Gross:** $22,000. (Average, $18,000.)

"FLYING DOWN TO RIO" (Radio)
RKO—(2,700), 25c-40c, 2nd week, 7 days. **Gross:** $5,400. (Average, $8,000.)

"ROMAN SCANDALS" (U. A.) 4 days
"I'M NO ANGEL" (Para.) 3 days
UNITED ARTISTS—(2,100). 25c-40c, 7 days. **Gross:** $10,500. (Average, $12,800.)

"THE HOUSE ON 56TH ST." (Warners)
WARNER BROS. (HOLLYWOOD)—(3,000), 25c-40c, 7 days. **Gross:** $15,000. (Average, $14,000.)

"THE HOUSE ON 56TH ST." (Warners)
WARNER BROS. (DOWNTOWN)—(3,400), 25c-40c, 7 days. **Gross:** $13,000. (Average, $12,000.)

Show 4½ Hrs.; Price 35c.

Hamilton, O., Jan. 16.—The Paramount, double featuring "The Private Life of Henry VIII" and "Sweetheart of Sigma Chi," also ran "The Life of Jimmy Dolan" on "Encore Night," thus giving a four and one-half hour program at the regular admission of 35 cents.

Amity Buys Siam Film

John M. Crinnion has purchased "I Am from Siam" for distribution by Amity Pictures. It is a travelogue with narrative by D. S. Garden, editor of the *Bangkok Daily Mail* and a musical accompaniment by Nathaniel Shilkret and his orchestra.

CLASSIFIED

THEATRICAL ATTORNEY WILL EXchange legal services with motion picture firm for room in Radio City. Address Box No. 132, MOTION PICTURE DAILY, 1790 Broadway, New York.

"Sweetheart" Gets $11,000, Montreal

Montreal, Jan. 16—There is nothing better than the Feast of the Nativity, popularly known as "Little Christmas," to bring out the revelry of the French Canadians. This gave grosses a splendid swing, as indicated by total business of $43,000, or $6,500 better than par. "Her Sweetheart" at the Capitol scored $11,000, while the second week of "Little Women" at the Palace was worth $10,500. Loew's made it the same with "Hoopla" and vaudeville, while the Princess was still up to $9,000 for the second week of "Roman Scandals."

Total business was $43,000. Average is $36,500.

Estimated takings for the week ending Jan. 13:

"HER SWEETHEART" (M-G-M)
CAPITOL—(2,547), 25c-35c-50c-60c-75c, 7 days. **Gross:** $11,000. (Average, $9,000.)

"POUR ETRE AIME" (French)
IMPERIAL—(1,914), 25c - 35c - 40c - 50c, 7 days. **Gross:** $2,000. (Average, $2,000.)

"HOOPLA" (Fox)
LOEW'S — (3,115), 15c-35c-50c-65c-75c, 7 days. Vaudeville: Jack Sidnew's Samples; Pete, Our Gang Dog; Ed and Tom Hickey; Rosemary and Frasier; Tenkai and Okinu. **Gross.** $10,500. (Average, $10,500.)

"LITTLE WOMEN" (Radio)
PALACE—(2,600). 25c-35c-50c-60c-75c, 2nd week, 7 days. **Gross:** $10,500. (Average, $11,000.)

"ROMAN SCANDALS" (U.A.)
"MASTER OF MEN" (Col.)
PRINCESS — (2,272). 25c-35c-50c-65c, 2nd week, 7 days. **Gross:** $9,000. (Average, $6,000.)

"Dinner" Omaha's High with $8,500

Omaha, Jan. 16—"Dinner at Eight," heralded by a New Year's Eve preview, rang the bell at the Paramount to the tune of $8,500 for the best week the house has had in some time. It was moved to the World for an extended run.

"Flying Down to Rio" closed a 12-day run at the Brandeis, getting $3,000 for the short 5-day second week. This theatre is rapidly becoming the "class" house of the town, thanks to fortunate releases. The World had a par week with "Lady Killer" and "The Chief," while the Orpheum was a bit under average at $7,000 despite "House on 56th Street" and "Artists and Models" stage unit.

Total first run business was $24,000. Average is $24,350.

Estimated takings:

Week Ending Jan. 10:

"DINNER AT EIGHT" (M-G-M)
PARAMOUNT — (2,900), 25c - 35c - 40c, 7 days. **Gross:** $8,500. (Average, $7,500.)

Week Ending Jan. 11:

"FLYING DOWN TO RIO" (Radio)
BRANDEIS—(1,200). 25c-35c, 2nd week, 5 days. **Gross:** $3,000. (Average, $3,500.)

"HOUSE ON 56TH STREET" (Warners)
ORPHEUM—(3,000). 25c-35c-50c, 7 days. **Gross:** $7,000. (Average, $7,850.)

Week Ending Jan. 12:

"LADY KILLER" (Warners)
"THE CHIEF" (M-G-M)
WORLD—(2,200). 25c-35c, 7 days. **Gross:** $5,500. (Average, $5,500.)

N. O. Bars Marcus Show

New Orleans, Jan. 16.—Police have prohibited the opening of the Marcus show at the Municipal Auditorium. Superintendent of Police George Reyer sent a representative to Mobile to see the show there and decided no permit would be given here.

A STATEMENT

YOU no doubt have read of my resignation from Radio City. Because I am leaving for a brief rest it has been impossible to communicate with many of my friends in the motion picture industry.

Therefore, I am taking this means of expressing to them my very great appreciation for the loyalty and the warm personal friendship shown me.

To my staff, to the executives in the industry and to all the other fine men and women in this business whom I am proud to call my friends, I write this note of thanks and gratitude for the pleasant relations which have been my good fortune to enjoy, and which I am sure will continue.

For the present all communications should be addressed to me at 115 Central Park West, New York City.

Sincerely,



The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

OL. 35. NO. 15 NEW YORK, THURSDAY, JANUARY 18, 1934 TEN CENTS

udge Bondy Critical of Para. Delay

cores Attorneys, Then Agrees to Withdraw

Attorneys who have contested Paramount Publix receivership and bankptcy proceedings during the past ar were vigorously scored by Fedal Judge William Bondy when they peared in U. S. District Court here sterday and asked Judge Bondy to thdraw in favor of some other judge connection with a scheduled hearg on the Paramount equity receivs' petition for payment of fees aggating $250,000 incurred during the ven weeks of Paramount's equity reivership.

Judge Bondy declared that he be-

(Continued on page 10)

. L. Nathanson Is 2nd Para. Advisor

N. L. Nathanson, president of amous Players-Canadian Corp., in arge of Paramount theatre operaons in Canada, was named yesterday the second member of a committee six which will serve as an advisory ard for the circuit's theatre operaons. E. V. Richards of the Saenger rcuit, New Orleans, is the other ember of the committee who was med earlier.

Reports linking Nathanson's name

(Continued on page 10)

ooper Orders New Production System

HOLLYWOOD, Jan. 17.—Merian C. ooper, executive producer at Radio, as installed a new production system der which each producer will be enely responsible for his own unit om the selection of the story, to eatment, cast and finished product. Cooper will pass on each phase of oduction as completed to save time r all concerned. Heretofore proicers have lined up and have waited r conferences on details concerning rogress, preparation and production.

Frozen Assents

The Code Authority yesterday sent out assent forms to all territorial possessions of the United States. Those returned from Alaska will be regarded as frozen assents.

Studios' Pay to Extras Totals $15,986,940 in Seven Years

Hollywood, Jan. 17.—Studios handed out 1,785,387 jobs to extras and paid them $15,986,940 for their labors in the seven years up to Jan. 1, 1933, according to figures compiled by the Central Casting Bureau. Placements for 1933 are not yet available. Here is the year-by-year tally:

Year	Placements	Wages	Average Wage Per Day
1926	259,258	$2,195,395	$8.40
1927	330,397	2,838,136	8.30
1928	276,155	2,469,711	9.15
1929	262,958	2,401,429	9.08
1930	252,446	2,460,012	8.45
1931	189,589	1,766,479	9.10
1932	214,584	1,855,778	8.00

Production, in its varied phases, will be discussed and analyzed at length in The Studio Number of MOTION PICTURE DAILY, out tomorrow.

ITOA Lifts Goldwyn Ban After Parley

Following the regular meeting of the I.T.O.A. at the Astor yesterday which was attended by Samuel Goldwyn and Al Lichtman, the unit lifted its ban against Goldwyn. The producer agreed to allocate prices of his product according to the classified run of theatres in each situation. This automatically removes the flat selling policy of percentages which ranged from 40 to 50 per cent of the grosses.

Goldwyn and Lichtman discussed at length the problems of making high cost productions. The producer ex-

(Continued on page 10)

Expect Quick Move In St. Louis Deal

ST. LOUIS, Jan. 17.—With the return from New York of Harry Greenman, resident manager of the Fox, and receivers of the theatre, court ap-

(Continued on page 11)

Coast Majors Agree to Aid M.P. Academy

HOLLYWOOD, Jan. 17.—Continuance of the Academy is assured by a promise of support from producers given in the early morning hours today. Producers agreed to contribute $50 for each completed feature toward expenses of the Academy so that it can carry on its technical research, conciliation and other services.

King Vidor heads a committee which will plan for the Academy's future activities and financing. Other members are: Irving Thalberg, Jack L. Warner, C. B. DeMille, Lewis

(Continued on page 10)

Warners Pittsburgh Policy Stays As Is

PITTSBURGH, Jan. 17.—Following a conference here yesterday between I. J. Hoffman, assistant to Joe Bernhard in the Warner theatre circuit,

(Continued on page 11)

March Thinks Percentage Deals May End Pay Rows

Percentage agreements for principal players may be the solution of the salary agitation, in the opinion of Fredric March. The NRA questionnaires and the fact that salary matters in the code were suspended for only 90 days convince him more developments are coming along this line.

"I believe most actors would be willing to try percentage agreements for a few pictures," he said, "to see how the plan works out. The trouble with the plan so far, is that most players don't know how to check up on the percentage. The percentage would

(Continued on page 8)

Rules Dec. 8 As Start for Eliminations

Rosenblatt Decides 10% Clause Is Effective

WASHINGTON, Jan. 17.—Exhibitors fully complying with the requirements of the code with respect to observance of contracts are entitled to the benefits of the 10 per cent elimination clause on product released after Dec. 7, even though the contract was made before that date, it was ruled today by Division Administrator Sol A. Rosenblatt.

A number of inquiries have been received from exhibitors regarding the elimination clause, Rosenblatt explained, and his ruling is designed to clarify the situation. The elimination privilege, while covering contracts made prior to the effective date of the code,

(Continued on page 8)

Authority Finance Problems Not Set

Exhibitor imposts for financing the Code Authority will be distributed only among those signing assent forms, and the greater the number of compliances, the smaller the amount of assessment per theatre, the authority states. Those not signing the code will not derive any of the benefits and naturally do not have to contribute toward carrying the expense of the clearance and zoning and grievance boards, etc.

Distribution and production also

(Continued on page 8)

No Time Limit Set For Code Protests

Although recommendations for posts on the 32 clearance and zoning and grievance boards must be postmarked not later than Saturday midnight, the Code Authority advises there is no deadline for sending in protests. Exhibitors, distributors and producers

(Continued on page 8)

Cooperating

Because many of the names suggested for nominations to the 32 clearance and zoning and grievance boards are illegible, the Code Authority has asked *Motion Picture Daily* to assist it in establishing correct spellings.

The answer is: "Yes."

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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Monogram Resumes Work Upon Its List

HOLLYWOOD, Jan. 17.—Monogram resumed production today with "The Loudspeaker" going into work under William T. Lackey's direction. Three others are to go into production within a month. They are: "Numbers of Monte Carlo," "Manhattan Love Song" and "Jane Eyre."

Trem Carr has closed a deal for more space at the Metropolitan Studios.

In line with the plan to continue purchasing novels and plays as adopted last year, Monogram has secured the rights to "Sing Sing Nights" by Harry Stephen Keeler, English novelist, as the initial buy for the 1934-35 program.

Famous Music Elects

Lou Diamond was elected president of the Famous Music Corp. yesterday. Other officers named were Walter B. Cokell, vice-president; Norman Collyer, secretary and James S. Polk, assistant secretary. Diamond, Polk, Cokell and Sidney Justin were elected to the board of directors.

Film Notables Here

Ernest Stern, film art director; Dudley Wilkinson, actor, and Thomas C. Gibbs, English actor, arrived yesterday on the *Champlain* from abroad.

H. & B. Take Another

Haring and Blumenthal have added the Embassy, Dobbs Ferry, N. Y., to their circuit.

Most Issues Fairly Steady

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	25	24½	24½	— ½	100
Consolidated Film Industries	3⅜	3¼	3¼	.....	400
Consolidated Film Industries, pfd	12⅞	12½	12¾	+ ⅛	1,500
Eastman Kodak	86	84¼	85¼	+ ¾	2,700
Eastman Kodak, pfd	120	120	120	.....	5,000
Fox Film "A"	14⅛	13¾	14	.....	900
Loew's, Inc.	27⅝	26⅝	27¼	.....	9,800
Paramount, cts.	3¼	2¾	3⅛	+ ¼	36,900
Pathe Exchange	2	1¾	1¾	— ¼	1,500
Pathe Exchange "A"	12¾	12	12	.....	1,200
RKO	2¾	2⅝	2⅝	.....	2,800
Warner Bros.	6¼	5¾	6	.....	8,700

Technicolor Rises on Curb

	High	Low	Close	Net Change	Sales
Technicolor	9¼	9	9¼	+ ⅜	400

RKO Bonds Jump 3¼ Points

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	53¾	53⅜	53⅜	+ ½	21
General Theatre Equipment 6s '40, ctf	53¾	51½	53¾	+ ¼	18
Keith B. F. 6s '46	56½	56	56	+1¼	7
Loew's 6s '41, ww deb rights	89¾	88⅜	89	.....	22
Paramount Broadway 5½s '51	40	37⅜	39	+1½	12
Paramount F. L. 6s '47	40¾	39¼	40	+ ½	26
Paramount Publix 5½ '50	40¾	39	39	— ¼	47
RKO 6s '41, cts	18¼	18¼	18¼	+3¼	1
Warner Bros. 6s '39, wd	47	45	46½	+1½	115

Purely Personal

JACK JOSSEY and NAT LEFTON, Cleveland Monogram franchise holders, have returned to the Ohio city after spending the New Year's holidays with TREM CARR on the coast.

S. A. LYNCH will desert these chilly climes for a short vacation in Miami, starting Saturday.

BENJAMIN BERK, of Blue Seal Sound, leaves for the coast today, to be gone several months.

GEORGE J. SCHAEFER arrives today from the south, where he has been conferring with Paramount exchange heads.

DALE VAN EVERY will arrive tomorrow from Universal City to work on a story with Lincoln Quarberg.

MILT KUSELL is slated to return from his tour of Paramount exchanges on Monday.

LEO ABRAMS, Universal exchange manager, returns from Miami on Monday. Vacation stuff.

MARTY MULLINS returned to Boston yesterday following conferences with RALPH KOHN.

LOUIS NIZER was in Washington yesterday on the poultry code.

HY DAAB is trimming his avoirdupois.

"Women" Heads M. P. Herald B. O. Champs

In accordance with its custom of listing the monthly box-office champions, MOTION PICTURE HERALD, out today, will carry its December list, which is as follows: "Little Women" (Radio), "Dancing Lady" (M-G-M), "Alice in Wonderland" (Paramount), "Roman Scandals" (United Artists), "My Lips Betray" (Fox), and "Only Yesterday" (Universal).

"Little Women" and "I'm No Angel" have been the only two repeaters to occur during the last four months.

"Catherine" Is Hailed By Press in Britain

LONDON, Jan. 17.—"Catherine the Great" was hailed as a masterpiece at its London preview yesterday. It is magnificently mounted and photographed and superbly acted, with Elizabeth Bergner and Douglas Fairbanks, Jr., reaching great heights. It is a worthy successor to "The Private Life of Henry VIII" and is declared to be even more powerful in entertainment value. The film is a beautiful production that drives home Britain's challenge to the world. It will amaze America.

CHARMAN

Fox Argues with Union

PHILADELPHIA, Jan. 17.—Fox is reported to be having difficulties with the musicians' union over its effort to reduce the orchestra from 36 to 18, and it is said the house will go to a straight picture policy if the trouble is not adjusted by tomorrow.

Lloyd Wants Beery, But M-G-M Refuse

HOLLYWOOD, Jan. 17.—Harold Lloyd has put in a bid to M-G-M for the loan of Wallace Beery for an important role in "The Cat's Paw."

M-G-M has turned down the deal because of Beery's heavy schedule at the studio.

Open English "Uniform"

"Girls in Uniform," English version of "Maedchen in Uniform" just completed by Krimsky & Cochran, will open at the Criterion next Wednesday night. Eleanor Phelps and Adele Ronson have the roles of Dorothea Wieck and Hertha Thiele.

Margon in Air

C. C. Margon, who has been appointed manager of Columbia's South American office, is enroute to the Argentine by plane. He succeeds O. J. Mantell, who resigned the post several months ago.

Seidelman to Europe

J. H. Seidelman, foreign general sales manager for Columbia, sails tomorrow on the *Olympic* for England. From there he will visit the continent on a tour of all foreign branches of the company. He'll be gone about two months.

Bancroft to Coast

George Bancroft left for the coast last night. When he arrives in Hollywood, he'll go into a huddle with 20th Century executives on a one picture contract.

Chesterfield Starts 6th

HOLLYWOOD, Jan. 17.—Chesterfield has started production on its sixth for the season, "The Understanding Heart." The film replaces "Angel Face" on the company's schedule.



"Gallant Lady" is a great show! Already have a great campaign laid out for it!

Ralph Goldberg
City Manager for
Paramount, Orpheum &
World Theatres
Omaha, Neb.

"MUSTARD with your HOT DOGS?"



BROADWAY SCREAMS!

"I never saw people laugh so hard. Large numbers of kids also came!"

(signed)
ARTHUR MAYER
Rialto Thea., N. Y. City

Daily Mirror—
... joyous piece of work ... great fun ... stirring uproar ... supreme comedy ...

American—
...one of best entertainments created by this comedy combine . . . story is well constructed, full of fun and merriment keeps going with no pauses ...

Sun—
... film done well... Laurel & Hardy excellent... I predict a brilliant future for them in six reelers ... this only second in long career of shorts ...

Journal—
...funny...plenty of laughs...

Film Daily—
... generous feast for those who want laughs ...

Times—
... funny all the way ...

Hollywood Reporter—
... plenty of real, genuine laughter ...

Variety—
... elaborate production ... good direction ... will get laughs ...

Brooklyn Times—
...funniest of their comedies ... a pleasure ... won much laughter ...

Morning Telegraph—
... as giddy a bit of screen hilarity as you'll find anywhere ... Laurel & Hardy seldom have turned in such excellent work ... a truly amusing comedy ... it's funny ...

News—
... fresh gags keep audience in continual state of laughter ... climax hilarious ...

Brooklyn Eagle—
...a large audience appeared to be constantly in danger of laughing itself to death...

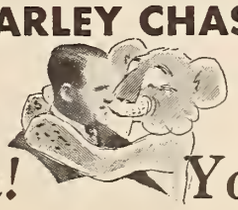
Post—
... met with approval of receptive audience ...

LAUREL-HARDY's

7 Rollicking Reels

"SONS of the DESERT"

with **CHARLEY CHASE**



"Thanks Hal Roach! Your Pal, Leo!"

Amos 'n' Andy, "Fog" Boston Hit, $23,500

BOSTON, Jan. 17.—With holiday midnight shows out of the picture after two near-record breaking weeks, Boston's grosses returned to normal once more, but were still well up in totals.

"Fog" at the Boston headed the list with $7,500 above average, but with the added attraction of Amos 'n' Andy in person to pull 'em in. The other RKO house, Keith's, with a second week's showing of "Flying Down to Rio," pulled into third place with $5,000 above par. Keith's has shown but two features in five weeks and has grossed big by the holdover plan on popular films.

Loew's State, with "Roman Scandals," was up $6,000 for second honors for the week, while the Metropolitan, with "Mr. Skitch," was up $3,000.

Total first run business for the week was $117,000. Average is $95,000.

Estimated takings for the week ending Jan. 11:

"FOG" (Col.)
BOSTON—(2,900), 25c-50c, 7 days. Amos 'n' Andy in person. **Gross:** $23,500. (Average, $16,000.)
"HAVANA WIDOWS" (F.N.)
"HELL AND HIGH WATER" (Para.)
FENWAY—(1,800), 30c-50c, 7 days. **Gross:** $10,000. (Average, $9,000.)
"FLYING DOWN TO RIO" (Radio)
KEITH'S—(3,500), 30c-50c, 7 days, 2nd week. **Gross:** $21,000. (Average, $16,000.)
"ROMAN SCANDALS" (U.A.)
LOEW'S STATE—(3,700), 35c-50c, 7 days. Vaude. **Gross:** $22,000. (Average, $16,000.)
"MR. SKITCH" (Fox)
METROPOLITAN — (4,350), 30c - 65c, 7 days. Mary McCormic and Bradley & Jerome. **Gross:** $31,000. (Average, $28,000.)
"HAVANA WIDOWS" (F.N.)
"HELL AND HIGH WATER" (Para.)
PARAMOUNT—(1,800), 30c-50c, 7 days. **Gross:** $9,500. (Average, $9,000.)

Stage 'Scandals' Rates High In Pittsburgh at $12,000

PITTSBURGH, Jan. 17.—While par was topped here by $11,000 last week, the chief part of that went to the Pitt, where the tabloid edition of George White's "Scandals" and "Above the Clouds" in four days almost tripled the business this house usually does in a week. A sensational $12,000 was turned in. The regular top was jumped to 50 cents and this also included a Sunday midnight show at 75 cents.

"Flying Down to Rio" was a nice money-maker for the Stanley at $14,000, the best business here since "Little Women," and at the Warner "Son of Kong" surprised everybody by gathering pretty close to $7,000.

In four days, in order to permit the Fulton to get back on its regular schedule, "As Husbands Go" was excellent, doing $3,500, or just $500 short of what this house usually does in six days. The weak sisters were "Sitting Pretty" at the Penn and "Shadows of Sing Sing" at the Davis, the former getting $9,500 and the latter $2,100.

Total grosses in six first run houses were $48,000. Average is $37,000.

Estimated takings for the week ending Jan. 13:

"SHADOWS OF SING SING" (Col.)
DAVIS—(1,700), 25c-35c, 6 days. **Gross:** $2,100. (Average, $2,500.)
"AS HUSBANDS GO" (Fox)
FULTON—(1,750), 15c-35c, 4 days. **Gross:** $3,500. (Average for six days, $4,000.)
"SITTING PRETTY" (Para.)
PENN—(3,300), 25c-50c, 6 days. **Gross:** $9,500. (Average, $12,000.)
"ABOVE THE CLOUDS" (Col.)
PITT—(1,600), 25c-50c, 4 days. Stage: George White's "Scandals," with Shaw and Lee, Lucille Page, Loomis Sisters, Gloria Mossman and Ross McLean. **Gross:** $12,000. (Average, $4,500.)
"FLYING DOWN TO RIO" (Radio)
STANLEY—(3,600), 35c-50c, 6 days. **Gross:** $14,000. (Average, $9,000.)
"SON OF KONG" (Radio)
WARNER—(2,000), 25c-50c, 6 days. **Gross:** $6,900. (Average, $5,000.)

Transfer Richmond Sites

RICHMOND, Jan. 17.—Wilmer & Vincent have acquired the land on which the Colonial is located and have transferred to Associated Builders, Inc., the site of the old Strand Theatre. The Union Bus Terminal site, also owned by Wilmer & Vincent, has been transferred to the Richmond Land Corp. It was bought originally for a theatre location.

Fox Adds Two "Chans"

HOLLYWOOD, Jan. 17.—Because of the success of pictures based on the adventures of Charlie Chan, Fox executives have added two more.



Morris Kutinsky
Inwood Theatre
Forest Hills, L. I.

"Rio" $4,000 2nd Week Hit In Portland

PORTLAND, Jan. 17.—"Flying Down to Rio" ran away with top honors in its second week at Hamrick's Music Box. The $4,000 gross was $1,000 over par.

"Dinner at Eight" took $5,800 at the United Artists and was held over in spite of the fact that this gross is not sensational, being only $800 over average.

Total first run business was $23,700. Average is $22,800.

Estimated takings for the week ending Jan. 12:

"FUGITIVE LOVERS" (M-G-M)
"S.O.S. ICEBERG" (Univ.)
BROADWAY—(1,912), 25c-35c-40c, 7 days. **Gross:** $5,700. (Average, $6,000.)
"FLYING DOWN TO RIO" (Radio)
HAMRICK'S MUSIC BOX—(2,000), 25c-35c-40c, 2nd week, 7 days. **Gross:** $4,000. (Average, $3,000.)
"MARY STEVENS, M.D." (Warners)
HAMRICK'S ORIENTAL — (2,040), 25c-35c, 7 days. **Gross:** $2,000. (Average, $2,000.)
"DESIGN FOR LIVING" (Para.)
"ORIENT EXPRESS" (Fox)
PARAMOUNT — (3,008), 25c - 35c - 40c, 7 days. **Gross:** $4,000. (Average, $5,000.)
"SECRET OF THE BLUE ROOM" (U.)
ANSON WEEKS AND BAND
LIBERTY—(1,800), 25c-35c-40c, 7 days. Stage Anson Weeks and band. **Gross:** $2,200. (Average, $1,800.)
"DINNER AT EIGHT" (M-G-M)
UNITED ARTISTS—(945), 25c-35c-40c, 7 days. **Gross:** $5,800. (Average, $5,000.)

Colorado Managers Shift

DENVER, Jan. 17.—Rick Ricketson, Intermountain Division manager for F.W.C., has made several managerial switches as a result of the resignation of Charles U. Yeager.

Harry Ashton, manager of the Mayan, Denver, becomes district manager in Yeager's place; Gerald Whitney, Boulder city manager, gets the Mayan; Ray Davis, manager of the Rialto at Sterling, goes to Boulder; Fred Glass goes to the Rialto, Sterling.

"Skitch" Top Seattle Draw With $8,25(

SEATTLE, Jan. 17.—"Mr. Skitch" the Fifth Avenue was the top attra tion of an average week, with a ta of about $1,250 over a normal $7,0(Three holdover films all grossed w(for second weeks, but failed to boo the local total to normal figures.

The Orpheum, with a farewell we to vaudeville, was slightly better th previous weeks, having two fairly go films to boost business.

Total first run business was $34,3(Average is $38,500.

Estimated takings for the week en ing Jan. 13:

"PRIVATE LIFE HENRY VIII" (U.A
BLUE MOUSE—(950), 25c-35c-50c, 7 da 2nd week. **Gross:** $3,750. (Average, week, $4,000.)
"MR. SKITCH" (Fox)
FIFTH AVENUE—(2,450), 25c-40c-55c, days. **Gross:** $8,250. (Average, $7,000.)
"THE THUNDERING HERD" (Para
"HIS PRIVATE SECRETARY" (Shov
LIBERTY—(1,800), 10c-15c-25c, 7 da **Gross:** $4,250. (Average, $4,000.)
"FLYING DOWN TO RIO" (Radio)
MUSIC BOX—(950), 25c-35c-50c, 7 da 2nd week. **Gross:** $3,600. (Average, 1st we $4,000.)
"FROM HEADQUARTERS" (F.N.)
"SMOKY" (Para.)
ORPHEUM—(2,500), 25c-35c-50c, 7 da Six acts vaudeville. **Gross:** $6,500. (Av age, $7,000.)
"DANCING LADY" (M-G-M)
PARAMOUNT — (3,050), 25c - 40c - 55c days. Extended run from Fifth Aven **Gross:** $4,000. (Average 1st week, $6,0(
"BOMBAY MAIL" (Univ.)
ROXY—(2,275), 25c-35c-50c, 6 days. **Gro** $4,000. (Average, $6,000.)

Cincy Palace Cuts Scal

CINCINNATI, Jan. 17.—Night pri of 44 and 60 cents, including 10 cent state tax, for balcony and lo floor, respectively, at the RKO P ace, have been reduced to 35 and cents, which is an extension of matinee schedule, effective at 1 P. The "early bird" rate of 35c rema the same.

The change makes the scale unifo at all RKO full-week houses he although the Palace is the circu only local spot playing stage sho and pictures.

No Hearing at Madiso

MADISON, Wis., Jan. 17.—The I partment of Agriculture and Mark will not hold a hearing to air complai of Madison business men against leged unfair practices carried on the University of Wisconsin, incl ing Bascom theatre, according to decision by the commission.

Daransoll Made Manag

PITTSBURGH, Jan. 17.—George D ansoll, formerly with Paramount-P lix in Hazleton, Pa., has been nam manager of the Cameraphone at E Liberty by Harry Kalmine, zone m ager for Warners.

Daransoll succeeds Harry Fraz Jr.

Open Independent Offi

HOLLYWOOD, Jan. 17.—Independ Film Distributors, Inc., has oper offices here on Film Row with t territory being managed by Stan Simmons and Willie Smith. The S Francisco territory is being hand by Bruce Johnson.

This is



ANNA STEN

"She will be a screen sensation. She has a beauty and vitality...a vivacity and voluptuousness that puts her in a class by herself."

. . . GWYNN
N. Y. Daily Mirror

"THE SEARCH



* This is a front page spread from the Sunday section of the December 10, 1933, issue of the St. Louis Post Dispatch, with the largest circulation of any paper in the Mississippi Valley. That a newspaper should run this unsolicited is an indication of the great public interest in this picture.

FOR BEAUTY"



PARAMOUNT'S SHOW PICTURE FOR SHOWMEN

Directed by Erle Kenton

with LARRY "BUSTER" CRABBE IDA LUPINO ROBERT ARMSTRONG JAMES GLEASON ROSCOE KARNS TOBY WING and the 30 International "Search for Beauty" Contest Winners, Flower of the world's feminine beauty and stalwart youth.

THE "SEARCH FOR BEAUTY" was participated in by 900 theatres in the United States, 36 theatres in Great Britain, 40 theatres in Australia, 45 theatres in New Zealand, 15 theatres in South Africa, and the Canadian Legion of the British Empire Service League.

The publicity and exploitation attendant to this "Search" has pre-sold this picture to the thousands of people who are interested in those who entered the contest.



if it's a PARAMOUNT PICTURE it's the best show in town!

Paramount Pictures

Rules Dec. 8 As Start for Eliminations

(*Continued from page 1*)

applies only to product released thereafter, he pointed out.

Rosenblatt also ruled today that there is no class of hearings at which the local boards may deliberate without the services of the non-industry members, because "the non-industry member is a true member of the constitutency of the board and has a definite function to perform thereon as provided in the code."

Authority Finance Problems Not Set

(*Continued from page 1*)

will pay their share of the code bill. Just what taxation methods will be used has not yet been decided.

A study of operating costs is now being made and figures are being compiled as a basis for a permanent budget.

Jameson in Capital

KANSAS CITY, Jan. 17.—E. E. Jameson, manager of Exhibitors' Film Delivery & Service Co., film carriers, is in Washington for hearings on a film truckers' code. Jameson is a member of the board of governors of the recently-formed National Film Carriers Ass'n., and is helping formulate the organization's code recommendations.

Johnson Proposes to Keep Deputies Off Code Bodies

WASHINGTON, Jan. 17.—Abandonment of the present policy of having deputy administrators serve as Government members of code authorities is planned by Administrator Hugh S. Johnson, because of the tax upon their time and the fact that they might have to pass on what trade associations would do, including the Administration members.

It was revealed by Johnson today that the Administration is also trying to work out a policy under which men who have in the past been connected with NRA will serve as Government members of code authorities. These members would be paid per diem possibly $10 for time actually spent in service, plus not more than $5 per day for expenses.

The administrator did not reveal whether he would eventually select non-Administration men to take the place of deputy administrators now serving. However, his statement that the men "are scattered all over the lot attending meetings and are not available for their duties here" was taken to mean that some action of the sort may later be taken.

Substitution of men from private life for Administration members would involve both Division Administrator Sol A. Rosenblatt, who is a member of the Code Authority and Deputy Administrator William P. Farnsworth, who is a member of the Legitimate Stage Authority and who yesterday, with Eddie Dowling, was appointed to the Radio Broadcasting Authority.

Double Check System Set Up by Authority

A double check on all code assents is being made by the Code Authority which will have a list of the names on a master file at headquarters in New York and a second list forwarded to the secretaries of each of the 32 clearance and zoning and grievance boards. Although the assents are forwarded to the New York office, the reason for the second set is to keep all boards up-to-date on exhibitors complying with the code. When an exhibitor registers a grievance with the board, he will be checked to see if he has a legal right to make the complaint.

Only parties signing the assent form without qualification can forward complaints to the local boards. Decisions of the boards also will be duplicated, one resting with the local office and the second for file at the authority headquarters.

Five girls are now working on card indexing of the assent forms in duplicate. There will be a set on yellow cards and another on white cards. The master file will be colorless.

Zoning schedules to be mapped out by the clearance and zoning boards must be published in each territory. All plans are to be sent to New York for the record. Any parties who feel they may be injured by the schedules have 30 days after publication to file protests with the local boards.

John C. Flinn has secured facts on arbitration proceedings from 36 states and will present them to the rules and regulations committee for study.

Carnival Employes Fight $10 Minimum

WASHINGTON, Jan. 17.—A minimum wage of $10 weekly, less $4.50 for meals, transportation and lodging, was today protested by actors and musicians appearing before Deputy Administrator William P. Farnsworth during the code hearing for the carnival industry. The code contains little of importance outside of wages. An effort will be made to resolve the wage controversy through conferences with leaders in the industry and employes.

Ryland Gets NRA Post

KANSAS CITY, Jan. 17.—Robert K. Ryland, Democratic lawyer, has been named by President Roosevelt as the Missouri member of the new National Emergency Council. Jonas Graber of Kingman, Kan., has been appointed as the Kansas member.

St. Louis was designated as the Missouri headquarters city for the new governmental agency, and Topeka for Kansas.

New Cinema Issue Out

In the new issue of *Experimental Cinema*, just published, Rene Clair, Vertoff and Dovjenko have articles, and the entire scenario for Sergei Eisenstein's "Que Viva Mexico" is included.

March Thinks % Deals May End Pay Rows

(*Continued from page 1*)

have to be on the gross, I suppose, because so many things are charged against the net."

March says it is probable the Actors' Guild will have a membership of 5,000 by the end of the summer. He believes it is possible for the guild to work harmoniously with producers in spite of the fact that the guild was formed because most players felt the Academy was producer-controlled.

He sees no possibility of the guild affiliating with Equity, and this automatically bars it from joining the American Federation of Labor, because the Equity charter covers both the stage and screen.

Asked if he thought producers would make another serious effort to slash salaries, he said he thought not. "After all, if there is to be salary-cutting, executives are going to get hit just as hard as players," he pointed out.

March expects to take in shows here for about 10 days before going to his home in Wisconsin to visit relatives. His first for 20th Century under his new contract will be "The Firebrand," a comedy based on Edwin Justus Mayer's play and the autobiography of Benevenuto Cellini. His second will be a loan to Samuel Goldwyn for a role in "Resurrection" with Anna Sten.

Code Assents Sent To U. S. Territories

Assent forms were yesterday sent by the Code Authority to all U. S. territorial possessions, including Hawaii, Alaska, Puerto Rico the Canal zone and Virgin Islands. If any are returned from exhibitors at these points, they will be turned over to Division Administrator Sol A. Rosenblatt. It is expected that none can be returned before Jan. 31, the deadline, and Rosenblatt will be asked to accept them as valid, due to lateness in sending them out.

No Time Limit Set For Code Protests

(*Continued from page 1*)

can send in comment or suggestions anytime they wish and they will be welcomed by the authority.

Inasmuch as the number of suggestions received yesterday by the authority amounted to about a dozen, publication is being withheld until a greater number are on hand.

Straus NRA Director

Nathan Straus, Jr., has been appointed state director of the National Emergency Council. He will take over the NRA offices at 45 Broadway and the supervision of the NRA compliance board.

At the same time, Henry F. Wolff, local NRA administrator, announced his resignation, and those of Thomas J. Donovan, deputy administrator, and Lloyd P. Stryker, chairman of the Department of Law and Complaints.





"So well acted by Mr. Lederer that it tickled the risibles of the audience . . . spectators applauded this film"
—*Hall, N. Y. Times*

"His Hollywood entrance can be definitely set down as a success"
—*Watts, N. Y. Herald-Tribune*

"Broadway's most exciting matinee idol"
—*Bland Johaneson, N. Y. Mirror*

"Has both talent and personality"
—*Regina Crewe, N. Y. American*

"An excellently true and sympathetic performance"
—*Boehnel, N. Y. World-Telegram*

"An actor of sufficient skill and personal charm to endow any character he portrays with the love-glow"
—*Delehanty, N. Y. Post*

"Charming"
—*John S. Cohen, N. Y. Eve. Sun*

FRANCIS LEDERER
ELISSA LANDI
in
"MAN OF TWO WORLDS"
with Henry Stephenson . . J. Farrell MacDonald
Directed by J. Walter Ruben. . . .A Pandro S. Berman Production

RKO-RADIO PICTURE
MERIAN C. COOPER, exec. prod.

Coast Majors Agree to Aid M.P. Academy

(*Continued from page* 1)

Stone, Frank Capra, DeWitt Jennings, Waldemar Young, John Nickolaus, John Cromwell, Carl Dreher.

A finance committee was named to take care of existing obligations. It includes: William Sistrom, George Irving and VanNest Polglase. Another committee, named to carry on actor-producer relations, includes: Jennings, Sistrom and Stone.

Nickolaus and Dreher were named to confer with producers on a program for reviving technical research.

Among those who attended and approved Howard Green's plea for new life for the Academy were: Thalberg, B. B. Kahane, Harry Cohn, Henry Henigson, Jack L. Warner and Henry Herzbrun.

J. T. Reed was not present, and it is believed his lack of interest indicates he intends to resign, which will automatically make Green president.

'Fashions' Opens Tonight

First National's much-ballyhooed "Fashions of 1934" will be given a formal opening at the Hollywood tonight. One of the features will be a broadcast over WOR at 7:30 o'clock on the Pebeco toothpaste hour.

This broadcast will be the first of a series of 13 on consecutive weeks over the same hour with Warner-First National attractions at the Strand and Hollywood getting plugs.

Judge Bondy Critical of Para. Delay

(*Continued from page* 1)

lieved the size of the fees to be the result of the complaining attorney's numerous moves to contest the receivership proceedings last year and that the receivers and their counsel had done an "invaluable service" in meeting those moves. He agreed to withdraw from the hearing and assented to the selection of Judge John Knox, who will hear the receivers' petition in about three weeks.

Declaring that he considered his withdrawal as a "reflection on the character of the bar rather than on that of the judge," the jurist clearly intimated that he believed the opposing attorneys themselves were accountable for the $250,000 cost of Paramount's brief receivership.

The attorneys addressed yesterday by Judge Bondy were Victor House, Samuel Zirn and Saul E. Rogers, each of whom is counsel for a Paramount Publix bondholders' group.

Zirn Opens Argument

Zirn opened yesterday's skirmish with the court by asking Judge Bondy to withdraw from the hearing on the ground that the equity receivers, Charles D. Hilles and Adolph Zukor, whose petition for allowances was under consideration, had been appointed to their receivership posts by Judge Bondy in what Zirn described as a "friendly action."

Rogers followed with the same request, but preluded his remarks with the statement that "your honor and I have discussed this matter both in the court and outside it." Judge Bondy broke in with an explanation of Rogers's reference to discussing the case outside of court and, in revealing the subject of the out of court conversation, characterized Rogers' views voiced at the time as "ridiculous." Rogers bridled at the adjective employed by the court and told Judge Bondy that he "resented it" and that his "record before the bar did not warrant it." He asked that Judge Bondy withdraw from the case because his "mind was closed on it" and he, Rogers, had been "prejudged."

House, who declared that he had come into the court without any objections to the case being heard by Judge Bondy, declared that he believed the jurist's description of Rogers' views as being "ridiculous" disqualified him, and asked, too, that Judge Bondy withdraw.

Both the receivers' petition and the court were defended in a reply by Elihu Root, Jr., of Root, Clark, Buckner & Ballantyne, counsel for the receivers. Later, when the opposing attorneys suggested that Federal Judge Patterson replace Judge Bondy in the hearing, Root said that that "would be embarrassing" to him, and explained that Judge Patterson was formerly associated with Root, Clark, Buckner & Ballantyne in the practice of law. Judge Knox was then agreed on by all the attorneys.

The receivers' petition for allowances originally aggregated $296,000, but was reduced by approximately $45,000 on its submission several weeks ago to Referee Henry K. Davis.



Russell Leddy, Oriental Theatre, Milwaukee, Wis.

Johnny Jones, Tower Theatre Milwaukee, Wis.

N. L. Nathanson Is 2nd Para. Advisor

(*Continued from page* 1)

with a renewal of his former active position in Paramount executive councils have been in circulation for months and implied an extension of his authority beyond that of his post as head of the company's Canadian theatres.

The four additional members to complete the theatre operating advisory committee which will work with Ralph A. Kohn, head of the company's theatre department, are expected to be named within the next few weeks. They will probably include the operators of Paramount's principal theatre interests in the south, southwest and central west.

Nathanson 1 of 4 Seeking N. Y. Roxy

TORONTO, Jan. 17.—N. L. Nathanson, president of Famous Players Canadian, is reported here as associated with Loew's in one of the four bids for reorganizing the Roxy in New York. He would would take an active interest in the management if the court approves such a deal.

The rumored plan has it that Nathanson would place Jack Arthur of Toronto, now at the Imperial, in charge of stage presentations at the Roxy. Many of Arthur's graduates have made good in New York, including Florence Rogge and others of the original Roxy gang.

If the reported reorganization plan of Nathanson is accepted by the court, it would take at least six months before the house would change hands. This time is necessary because of the financial entanglements which first have to be straightened out.

Other reorganization plans under consideration by the first mortgage bondholders include one from Herbert Lubin, Harry C. Arthur and another unnamed exhibitor, not Roxy.

ITOA Lifts Goldwyn Ban After Parley

(*Continued from page* 1)

plained the difficulties in turning out "Nana," how he spent a year and a half in getting Anna Sten ready for the screen and the scrapping of the initial negative of the picture. He said he had no fear of anyone's ban and anyone who liked could decide whether or not to buy his pictures.

However, exhibitors told Goldwyn that his high cost of production is nothing compared to the $300,000,000 involved in over 400 local independent houses. The exhibitors were elated over the willingness of the producer to study each possibility before selling it. The organization feels that in accomplishing this it has made a constructive move in cementing the relationship between exhibitor and producer.

Goldwyn closed his talk by saying an exhibitor is better off paying 40 to 50 per cent for a great picture than paying 15 per cent for a "turkey." He and Lichtman agreed to sit in on a round table conference with the exhibitors and make modifications in the selling policy. About 200 exhibitors atended.

Detroit Man Fined On "Elysia" Stills

DETROIT, Jan. 17.—James Keough, manager of the Adams, has been found guilty in Ordinance Court of displaying obscene stills in his lobby during the showing of "Elysia, Valley of the Nude." Judge John J. Maher sentenced him to 90 days in the House of Correction and fined him $500. Sentence and fine were suspended and Keough placed on probation for one year. If he violates the city ordinance regulating censorship of films, he will be required to serve the sentence and pay the fine, the judge ruled.

Immediately following the sentencing of Keough, W. H. Kinnear, charged with showing obsence stills at the Rivoli on "This Nude World," entered a plea of guilty and asked for leniency. Kinnear will be sentenced Saturday.

In his written opinion, Judge Maher suggested that a board of censorship, composed of representatives of the police department, press, and Board of Education be created to supplant the present system of having all films censored by Lieut. Royal Baker.

Change Booking Time

Daily booking schedule at the Fox New York exchange has been revised and bookers are now taking dates only from 9 A. M. to 4 P. M.

Looking 'Em Over

"Massacre"

(*First National*)

This is an interesting, topical drama of the exposé type, based on a story of exploitation of American Indians and corruption of Indian agents in government service on the reservations.

Richard Barthelmess, as an educated and financially successful Indian working with a traveling rodeo show, is called back to the Indian reservation he had left as a youth to see his dying father. On the visit he discovers the evils flourishing under the government agent's regime, whips a doctor who had neglected the dying Indian and deals vengeance to another white man who had attacked the sister of the Indian. For this, Barthelmess is given a jail sentence but is aided in an escape by Ann Dvorak, who plays the part of an educated Indian girl. Barthelmess makes his way to Washington and, with the aid of the Commissioner of Indian Affairs, brings about a Senate investigation of conditions on the reservation. Thereafter he is returned to the reservation to stand trial for the murder of his sister's attacker. A confession is obtained, bringing about Barthelmess's release and incriminating the government agent, who, with his aides, is removed from the post. A romance between Barthelmess and Miss Dvorak is culminated.

The story is brought up to the minute by association with Chicago's Century of Progress and Senate investigations. The picture is fast-moving, has plenty of action and suspense and makes the most of its novel story and background.

"Flaming Gold"

(*Radio*)

"Flaming Gold" provides good average entertainment. It is set in an oil development in the jungle of Latin-America and manages always to be interesting. The story moves at a fast pace and the atmosphere is realistic.

Bill Boyd and Pat O'Brien are partners in an oil venture. When their well fails to develop oil they tie up with the proprietress of a honky-tonk who has property which she believes is productive. To get the necessary capital to start a well, Boyd goes to an old flame of hers in New York. There Boyd falls for a professional entertainer (Mae Clarke) and marries her, never knowing the truth about her. However, love is really her motive.

She willingly accepts life in the jungle with him. One day when Boyd is away, O'Brien tells her he knows the truth about her and intends to tell Boyd. She pleads her case with him so well that O'Brien changes his mind and becomes her friend. On his return Boyd misunderstands the sudden change in their attitude toward each other. This forces a confession from his wife. Boyd is first prompted to break with her, but the better side of him triumphs and the ending is happy.

The acting, particularly that of O'Brien, is good. Direction by Ralph Ince is capable.

"Straightaway"

(*Columbia*)

For sheer action "Straightaway" is a pip of a racetrack yarn. There is movement in every second and its producer has provided enough thrills to satisfy the most critical of youthful audiences.

Tim McCoy is champion of the speedways. Fired by his boss because he refused to slow up and give his son a chance to win a race, Tim joins up with a rival race car manufacturer. His former boss, bent on keeping Tim's new boss from entering the Indianapolis, attempts to have Tim's car wrecked during a race while his brother is at the wheel. To save his brother, McCoy, who is driving another machine, deliberately wrecks his old boss's car, being hurt himself at the same time. He is threatened with a charge of manslaughter if he wins the Indianapolis. But Tim allows nothing to deter him. The charge is dropped when Sue Carol, his sweetheart, obtains a confession from the mechanic of the rival car manufacturer.

The film is filled with thrilling race scenes. The cast is good. Other players are William Bakewell, Ward Bond and Francis McDonald. Otto Brower directed.

"I Am Suzanne," this morning's opener at the Radio City Music Hall, was reviewed by wire from Hollywood on Dec. 30.

"Fashions of 1934," tonight's preview at the Hollywood, was covered by wire from Hollywood on Jan. 6.

(*Additional reviews on page* 12)

Warners Pittsburgh Policy Stays As Is

(*Continued from page* 1)

and Harry Kalmine, zone manager here, it was announced the Stanley would not follow Loew's Penn in the resumption of stage shows.

Stage shows have been out of both the Penn and Stanley since June, 1932. Pittsburgh was without shows until three months ago when George Schaffer opened the Pitt. It is generally understood the success of the Pitt was responsible for the Penn's resumption of its old policy.

Contracts with the unions are such as to permit the Loew house to take up straight pictures again at any time.

Expect Quick Move In St. Louis Deal

(*Continued from page* 1)

proval of the F. & M. deal is expected this week. A tentative agreement has been set up, but consummation cannot be completed until the court sanctions the operating deal.

Greenman and the receivers returned yesterday following conferences in New York with Harry Arthur.

Loew's Consolidates Four Radio Stations

Loew's, Inc., has taken a firmer hold in the broadcasting field by consolidating four New York stations into one, operations being confined to Station WHN. The stations that have ceased to exist are WRNY, WQAO and WPAP, which have long been under Loew control. The new setup is under the supervision of Major Edward Bowes and will confine its programs chiefly to music.

Rogers Has Four to Go for Para. List

HOLLYWOOD, Jan. 17.—Charles R. Rogers has completed six of the 10 pictures on his 1933-34 schedule for Paramount and has definitely lined up the four remaining.

Pictures to come are "In Conference," an original by Vera Cosby and Bruce Manning, which Brian Marlowe, Agnes Christine Johnson and Joseph Gollomb are now whipping into a screen play; "It's a Pleasure to Lose," featuring George Raft and Frances Drake; "Green Gold," which will be made in Honduras and will probably star Gary Cooper, and "The Canal Boy," to top-spot Dorothy Wilson and Robert Montgomery.

Notables at Opening

Many notables are expected to attend the premiere of Columbia's first musical of the season, "Let's Fall in Love," at the Rialto tomorrow night.

Among those in the audience will be Mayor LaGuardia, Langdon Post, Tito Schipa, Irving Berlin, Fredric March, Dolores Del Rio, Paul Whiteman, Dave Rubinoff, Buddy Rogers, Helen Morgan, Irene Bordoni, Jack Dempsey, Ben Blue, Clark and McCullough and Harry Hershfield.

D. C. Committee Named

WASHINGTON, Jan. 17.—J. J. Fayette, chairman of the theatre owners committee of the District of Columbia, has named Hardie Meakin, Lou Browne, Frank La Falce and Rodney Collier on the committee to handle the President's birthday show at the Fox. The proceeds will be turned over to the President for the Warm Springs Foundation.



MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"The Family Scandal"

(*M-G-M*)

HOLLYWOOD, Jan. 17.—A day in the life of the average family is distilled from simple incidents into homespun drama, romance, tragedy and laughter in "The Family Scandal," The father, Lionel Barrymore, faces a possible charge of embezzlement. The mother, Fay Bainter, is leaving for California to adapt her novel for a film studio. The college flapper, Mary Carlisle, wants to get married after an affair. The older daughter, Mae Clarke, breaks her engagement. The collegiate son, Tom Brown, is not pledged to the college fraternity and has an auto accident. The cook, Una Merkel, loses her ice-pick. The whole family gets together at a turkey dinner that night.

Though scattering its shots, the story is brought to a focus by the director's mobile technique. Its appeal stresses human threads woven around the hearth and home, harmonic with the mood of the moment.

Barrymore suffers nobly. Miss Carlisle gets better with every picture. Brown, with an attractive, boyish personality, should go a long way. Miss Clarke is always appealing. Miss Merkel, charming and humorous, registers big here. Dickie Moore has a choice bit.

Director William Howard has wisely emphasized the story and human values, rather than the trick method. The script and dialogue are good.

This production should please all classes, with neighborhoods going for it strongly.

"Hips, Hips, Hooray"

(*Radio*)

HOLLYWOOD, Jan. 17.—Smiles ripple in and out of "Hips, Hips, Hooray," with laughs interspersed. The story, unrelated to the title, is a hodge-podge of two drifters, Wheeler and Woolsey, getting tangled with two female magnates, Thelma Todd and Dorothy Lee, who run a beauty emporium.

The boys, in spilling their delightful bunco, are constantly dodging two detectives, Epstein and Sweeney, in escaping from their clutches, accidentally become auto drivers in a transcontinental speed race. A burlesque pool game between Wheeler and Woolsey versus Epstein and Sweeney has some high moments of genuine hilarity. The auto race wind-up, replete with slap and dash hokum, garners some nice laughs. The song, "Keep on Doin' What You're Doin'," sounds like a hit. Ruth Etting sings "Keep Romance Alive" as the theme song for beauty preparations.

Where they like Wheeler and Woolsey, "Hips, Hips, Hooray," with girls and gags, should satisfy after their fashion.

Grainger to Visit Coast

James R. Grainger, general sales manager for Universal, is expected to leave for the coast late in March to discuss new product with Carl Laemmle. Thirty-six features are scheduled, exclusive of westerns, which will be decided upon later. This season the company is making eight with Ken Maynard.

East End to Fanchi

Abel Fanchi has acquired the East End Theatre.

"Spanky" Back on Job

HOLLYWOOD, Jan. 17.—"Spanky" McFarland of Hal Roach's Our Gang comedies has recuperated from an attack of whooping cough and is back on the set. John W. Swallow, who has produced a number of shows for the radio, is technical director for "Babes in Toyland."

Cohn Reaches Coast

HOLLYWOOD, Jan. 17.—Harry Cohn is back from New York.

U6

Coupes
Phaetons
Sedans
Limousines
Cabriolets

comfort
ease
luxury

FEB. 13TH IS THE DATE

Fox Staff Tenders Farewell to Yorke

Gabe Yorke was guest of honor at a farewell dinner tendered by members of the Fox advertising and publicity staffs at Cavanagh's last night. Yorke leaves tomorrow for the coast to take over Arch Reeve's job as studio publicity director. Reeve will replace Yorke as advertising manager in the home office.

Those present were:

Charles E. McCarthy, Earl Wingart, Carl Mos, Joel Swenson, Al Margolies, Louis Shanfield, Kenneth Fagg, Leonard Gaynor, C. N. Odell, Morris Helprin, Elliott McManus, Abe Goodman, Charles Goldie, Arthur Dickson, Jim Clark, Roger Ferri, Lee Balsly, Harold Gutman, Davis Sorokin, Arnold Cohen, Gordon White, M. L. Ahern, Jan Hogenbyl, William Freedman, Jules Smolen, Dan Daugherty, Harry Spitzer, Ben Haber, Fred Bullock.

$15,000 for Improvements

Approximately $15,000 is to be spent by Fox for renovating the New York exchange. Improvements start this week.

Ohioans Confer on Tax

CLEVELAND, Jan. 17.—P. J. Wood is due here tonight to confer with M. J. Horwitz, Henry Greenberger and Nat Charnas on a campaign for elimination of the admission tax.

"U" Moves About Mar. 20

Universal plans to move into the RCA Bldg. around March 20. Part of the ninth and all of the 10th, 11th and 12th floors will be occupied by the company.

ASC Signs New Deal With Major Studio

HOLLYWOOD, Jan. 17.—Following h installation as the new business ma ager for the American Society Cinematographers, Allan Watt d vulged that the ASC had signed five-year working agreement with a major studios calling for a clos shop for ASC members.

The agreement calls for the I. A T. S. E. scale, which is held to hav been canceled by the start of the r cent strike. Improved working cond tions are called for. Any future walk out will be controlled by a majori of the membership.

The pact will be presented to th full membership Monday night for ra ification. It is claimed that the AS now represents 70 per cent of th recognized cameramen and that it ex pects to have 100 per cent as soon a the agreement is adopted.

Edward Poland Dead

PORTLAND, Me., Jan. 17.—Edwar Poland, actor and for many years po laureate of the Lambs in New Yor died at his home on Peaks Island ye terday. He was 79 years old.

Seigel-Weinberg Join

Arthur Seigel of Warners, Newarl and Dan Weinberg, formerly Ne Jersey booker for Skouras, hav formed a partnership and taken ove the Ramsey, Ramsey, N. J.

Using Parvo Camera

Metropolitan Pictures Corp., com mercial producers, have installed i their studios the new Super Siler Parvo Camera, manufactured by Ar dre Debrie, Inc.



Lou Ansell
General Manager
of Ritz and
Empress Theatres
St. Louis, Mo.

C. Evens
Manager
Loew's State
St. Louis, Mo.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 35. NO. 16 | IN TWO SECTIONS | NEW YORK, FRIDAY, JANUARY 19, 1934 | SECTION I | TEN CENTS

Kansas City Again Seeks Price Pacts

Fox Midwest Joins in Dicker with Loew's

KANSAS CITY, Jan. 18.—Undeterred by previous failures, Independent Theatre Owners and Fox Midwest are again attempting to bring about some semblance of normality in admission price scales and to stem the trend toward cutting.

With the Loew's Midland 25-cent price still the bone of contention, Fox Midwest has joined the independent suburbans in making new overtures to Col. E. A. Schiller of Loew's. Jay Means, president of the independents, says his organization wants to ascertain whether Colonel Schiller remains willing to raise the top at the 4,000-seat first run. Several months ago Loew's offered to hike the price if the subsequents would eliminate double

(Continued on page 4)

Frisco Theatre Men Organize New Group

SAN FRANCISCO, Jan. 18.—District theatre owners have banded together for the purpose of combating adverse local ordinances and obtaining reduced license fees. The organization has been uniquely termed the San Francisco Theatre Owners' Chamber of Commerce. The group will hold its next meeting Jan. 23, when the question of double billing and its possible removal will be discussed.

Charles Skouras and Arch Bowles, of W. C., have been invited to give their unofficial opinions at the meet-

(Continued on page 4)

Report B. & K. Gets Toledo's Paramount

TOLEDO, Jan. 18.—It is understood that the local Paramount holdings, consisting of the 3,500-seat Paramount, and the 1,000-seat Princess, heretofore operated by John Balaban, will be acquired by Balaban and Katz under the terms of a new contract virtually completed between Paramount and John and Barney Balaban.

Elections of Ampa Shifted to Oct. 1

Instead of holding the annual elections on May 1, the Ampa yesterday amended its constitution so the yearly voting contest will be held on Oct. 1.

(Continued on page 4)

Rosenblatt to Have an Aide Here Tuesday

Farnsworth Will Attend Authority Session

Although unusual in governmental procedure, Washington will have an official representative at the next Code Authority meeting despite absence of Division Administrator Sol A. Rosenblatt on Jan. 23.

Rosenblatt, who leaves the capital this afternoon direct for Chicago, where he'll board the Chief, bound for Hollywood, has named William P. Farnsworth, deputy administrator, to substitute for him at the session next Tuesday at the Bar Ass'n Bldg.

Accompanying Rosenblatt will be his wife and William Doherty, one of the division administrator's assistants.

Delaware-Maryland MPTOA Signs Code

WILMINGTON, Jan. 18.—Independent M.P.T.O.A. of Delaware and Eastern Shore of Maryland met at Harrington theatre advisory committee will not entire membership, individually signing the code. President A. Joseph De Fiore, who presided, stated that the organization was more solid than ever before.

A general meeting will be called at Harrington within 10 days after the Code Authority appoints a zoning and grievance board for this section.

Rumor Rosenblatt to Scan Casting Bureau

HOLLYWOOD, Jan. 18—One of the chief topics of business to envelop Division Administrator Sol A. Rosenblatt upon his arrival from Washington on Monday is an investigation of the Central Casting Agency, it is reported here.

Rosenblatt will be met at the station by a cordon of Department of Justice men who are understood to be commissioned to assist Rosenblatt on his errand in Hollywood.

Authority Sets Back Sessions Upon Rules

Further meetings of members of the rules and regulations committee of the Code Authority have been postponed until the authority is set in its headquarters at the RKO Bldg. One meeting was held in J. Robert Rubin's office, but all future sessions will be in Radio City.

Wires Pour In

Believe it or not, the Code Authority received 50 telegrams from Seattle in one day, the senders all recommending a certain person for the post of secretary of the clearance and zoning and grievance boards in that city.

This incident goes one better the 15 wires sent in by theatre managers of a circuit suggesting the owner of the circuit for one of the positions on a New York zone board.

Code Boards List Raised By 56 Names

With 56 names released yesterday by the Code Authority as recommendations for posts on the 32 clearance and zoning and grievance boards, the total now reaches 748, according to MOTION PICTURE DAILY's card index compilation. This does not include duplications in any city.

Fifteen exchange centers are covered in the latest list, which includes secretaries of Film Boards of Trade, independent and circuit men, and independent and major exchange representatives. For the first time, an educator has been named, although previously a judge from the Kansas City

(Continued on page 4)

Cancellation Rule Surprises Locally

Local exchange heads yesterday registered surprise at the decision handed down by Division Administrator Sol A. Rosenblatt in Washington making cancellations retroactive to Dec. 7.

All employes recently attended two sessions at the Edison Hotel when Louis Nizer, secretary of the Film Board of Trade, at which time the opposite to what was announced yesterday was explained.

NRA to Study Vaude Chorus Pay Protests

WASHINGTON, Jan. 18.—Protests of vaudeville representatives against film code provisions regarding chorus wages and rehearsal and layoff wages, submitted to Division Administrator

(Continued on page 4)

New Plan for FWC Expected About Feb. 15

F. & M. May Take Over Half Dozen Houses

LOS ANGELES, Jan. 18.—Reorganization of Fox West Coast is expected to be completed around Feb. 15, at which time Spyros Skouras is due from New York for final conferences with his brother, Charles, and the receivers.

When the plan is worked out, about six houses will be turned over to F. & M. under a special agreement. Included in the sextet will be units at San Francisco, San Jose and Oakland. Louis Cohen, realty expert for F. & M., has delayed his trip east, as he is completing the details of the Skouras-F. & M. deal for Mike Marco.

Para. Partners to Elect 4 Advisors

Names of the four additional members to be appointed to the Paramount theatre advisory committee will not be announced until meetings of the circuit's partners in Minneapolis, Chicago, New England and Dallas are held. At these meetings interests identified with the partners will elect the men to be appointed to the national council.

E. V. Richard and N. L. Nathanson already have been named by their groups and today a meeting is to be held in Dallas at which time it is expected R. J. O'Donnell will be elect-

(Continued on page 4)

MOTION PICTURE DAILY

STUDIO NUMBER

Section 2, Today

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Notables at "Fashions"

Many notables were in attendance at the world premiere of Warners' "Fashions of 1934" last night at the Hollywood Theatre. Among them were Princess Kropotkin, Prince Matchabelli, Doris Duke, Whitney Bourne, Dolores Del Rio, Tallulah Bankhead and Mr. and Mrs. Samuel Goldwyn. A feature of the opening was a fashion parade on the stage of the theatre in which were displayed creations by Orry-Kelly, Hollywood stylist, worn by players in the film. The lobby display included the original sketches of these and other costumes.

Laemmle, Jr., East Soon

HOLLYWOOD, Jan. 18.—Carl Laemmle, Jr., will leave Hollywood Jan. 27 for New York, where he will sail on the *Ile de France* for a vacation in Europe.

Eastman, Columbia Up One Point

	High	Low	Close	Net Change	Sales
Columbia Pictures vtc.	25½	24⅞	25¼	+1	400
Consolidated Film Industries	3⅛	3⅛	3⅛	— ⅛	100
Consolidated Film Industries pfd.	12⅞	12½	12½	— ¼	700
Eastman Kodak	85¼	84¾	84¾	— ½	600
Eastman Kodak pfd.	121	121	121	+1	6,000
Fox Film "A"	14⅛	14⅛	14⅛	+ ⅛	300
Loew's, Inc.	27¾	25¾	27¼	.....	29,100
Loew's, Inc., pfd.	80¼	80¼	80¼	+ ½	100
Paramount cts.	3⅛	3	3	— ⅛	6,700
Pathe Exchange	1⅞	1¾	1¾	.....	400
Pathe Exchange "A"	12⅛	11⅝	11⅝	— ⅜	200
RKO	2¾	2⅝	2¾	+ ⅛	3,200
Warner Bros.	6⅛	5⅞	5⅞	— ⅛	5,000

Trans Lux Loses Eighth

	High	Low	Close	Net Change	Sales
Technicolor	9½	9¼	9¼	.....	500
Trans Lux	2⅜	2⅜	2⅜	— ⅛	100

Pathe Bonds Drop 1½ Points

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	6⅜	5⅞	6	+ ¼	122
General Theatre Equipment 6s '40 ctf.	6⅜	5⅝	6¼	+ ½	94
Keith, B. F., 6s '46	57¾	56½	56½	+ ½	22
Loew's 6s '41 ww deb rights	89¾	89¾	89¾	+ ¾	8
Paramount F. L. 6s '47	40	39¾	39¾	— ¼	5
Paramount Publix 5½s, '50	38½	37	38½	— ½	10
Pathe 7s '37 ww	88¾	87	87	—1½	3
Warner Bros. 6s '39 wd	46½	46⅛	46¼	— ¼	71

Purely Personal

H. H. BUXBAUM today celebrates his 45th birthday and he will be given a surprise party at his home by friends. As one birthday gift, his doctor has put him on a strict dairy diet.

GEORGE J. SCHAEFER didn't return from the south yesterday as expected, and, according to latest reports, he is due back today.

BERT SANFORD, eastern division sales manager for Erpi, leaves Monday for a sales trip through upper New York state.

NICHOLAS M. SCHENCK has fully recovered from a bad cold and is back on the job again.

ARTHUR BRILLANT has joined the production staff of National Screen Service.

DAVID MANNERS will return Jan. 25 from Europe, where he has been making a picture for Gaumont British.

AL LICHTMAN and E. A. ALPERSON munched their food together yesterday afternoon.

SAM DEMBOW, JR., returns either today or tomorrow from the south.

GEORGE SKOURAS is in Chicago these days.

Gaumont to Open on Coast

HOLLYWOOD, Jan. 18.—Gaumont-British will soon open a branch office here with George W. Weeks, former general sales manager for Paramount, in charge. Local distribution will be handled, but the office will not interfere with deals already made with national distributors, according to Arthur A. Lee.

Col. Doing Mexico Film

HOLLYWOOD, Jan. 18.—Columbia is making a picture in Mexico in cooperation with Miguel Contreras Torres called "Juarez and Maximilian" for distribution in Spanish speaking countries. It will be a costume picture.

Hays Silent on Trip

ALBUQUERQUE, Jan. 18.—Will H. Hays refused to make any comment on film conditions when he passed through here today en route to the coast. On the same train are Mr. and Mrs. Roy Howard of the *Scripps-Howard* papers. They are on their way to Honolulu.

Nazi Film in Portland

PORTLAND, Jan. 18.—"S A Man Brand," first Nazi film passed by the local censors, is booked for a week starting next Tuesday at the Taylor St. Theatre. A heavy exploitation campaign is creating general discussion and excitement.

Pollard to Film Ball

"Bud" Pollard intends to film the Beaux Arts ball at the Waldorf-Astoria tonight. He will release the show as a short and hopes to get as many society figures in it as possible.

2 "Christina" Openings

"Queen Christina" opens tomorrow at the Ohio, Cleveland, and the Majestic, Boston. Further dating of the roadshow awaits reaction on these dates.

Frank C. Walker Resigns

WASHINGTON, Jan. 18.—Frank C. Walker has resigned as treasurer of the Democratic National Committee.

"Hi, Nellie"

TWO LITTLE WORDS THAT MEAN A GOLD MINE FROM WARNER BROS.

Spot News from Columbia



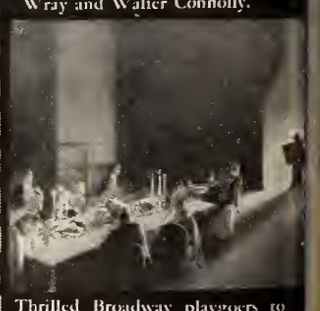
Add thrills to your program with Columbia's "A WORLD OF SPORTS", featuring all the zest, action, color and excitement of modern sport—gathered from the four corners of the earth.



"Big returns for the theatres. Swell piece of entertainment," says Hollywood Reporter. "LET'S FALL IN LOVE," romantic musical comedy featuring Edmund Lowe, Ann Sothern, Miriam Jordan and Gregory Ratoff.



"A fine picture that should click," says Daily Variety about "ONCE TO EVERY WOMAN," A. J. Cronin's Cosmopolitan Magazine story with Ralph Bellamy, Fay Wray and Walter Connolly.



Thrilled Broadway playgoers to the core and now ready to thrill millions more! "THE NINTH GUEST," a romantic mystery melodrama by Owen Davis with Donald Cook and Genevieve Tobin.

NEWS OF THE WEEK IN PHOTO-REVUE



DAZZLING $10-TOP PREMIERE of 'Fashions of 1934' at N. Y. Hollywood starts noted Warner extravaganza on round of big-time dates.°



THREE STARS from *News*—"most vigorous since 'I'm A Fugitive'" says *Herald-Tribune*—'magnificent', rave others as Barthelmess' 'Massacre' slays N. Y. critics.°







'CLICKING', flashes *Variety*, as Munificent gross piles up for 'Hi, Nellie!' in first date at Earle, Washington.*



EVEN THE SKULL GRINS at Joe E. Brown's antics in 'A Very Honorable Guy', just completed at Warners' Burbank studios.°

AS MILLIONS HEAR, Dolores Del Rio opens mammoth 'Wonder Bar' campaign with nationwide broadcast over NBC hookup.°

HANDLED WITH GLOVES is Ginger Rogers in 'Upper World', Ben Hecht original now in Warner cutting-room.*

*A Warner Bros. Picture °A First National Picture Vitagraph, Inc., Distributors

Code Boards List Raised By 56 Names

(*Continued from page* 1)

Federal court had been mentioned. The professor is Wesley A. Sturges and his name was submitted from New Haven.

Recommendations close midnight tomorrow night and any suggestions postmarked after that time will be discarded.

The newest schedule of names follows:

Albany—M. J. Kallett.
Boston—J. J. McGuinness, John J. Ford, Thomas J. Meehan, Victor J. Morris, Franklin F. Plimpton.
Charlotte—Mrs. Walter Griffith.
Dallas—S. G. Howell.
Denver—Duke W. Dunbar.
Des Moines—Abe Frankel, John Anderson, Joe Weaver, Jake Cohen, George Weigman, Wesley Mansfield.
Columbus—Max Stearn.
Indianapolis—Alex Manter, J. Goldberg, Junius Fushaneas, U. V. Young.
Milwaukee—L. F. Thurwachter, A. C. Gutenberg, R. J. Baldwin, R. S. Guiterman, R. T. Smith.
New Haven—I. J. Hoffman, George Cruzen, Edward G. Levy, Prof. Wesley A. Sturges, B. E. Hoffman, Louis M. Sagal, Samuel Weiss, Adolph Johnson, William J. Brennan, Albert Pickus, J. L. Shulman.
Omaha—B. B. Holdridge, I. N. Kuhl, Ray Felker.
Philadelphia—George P. Aarons, Reese B. Harrington.
Los Angeles—Arnold Schaak.
St. Louis—Steven Farrar, Mrs. Grace Rodgers, Leo F. Keiler.
Washington—Carl Schwartz, J. B. Dashiel, E. A. Plummer, Hardie Meakin, Carter Barron, William P. Herbst, Sidney Lust, A. Lichtman, John Hiser, Rudolph Berger, Harry Hunter.

NRA to Study Vaude Chorus Pay Protests

(*Continued from page* 1)

Sol A. Rosenblatt today, resulted in a decision to ask the Code Authority to appoint a committee to study the question.

Recovery Administration officials are said to look coldly upon efforts now to secure changes in the code, it being pointed out that the agreement was under discussion for several months and that ample opportunity was then afforded for the lodging of protests.

Ushers' Strike Is Averted in Capital

WASHINGTON, Jan. 18. — When Loew's attempted to cut ushers at the Earle, Palace and Fox here to 25 cents an hour, they threatened to strike. This was averted at a general meeting when the men were told salaries would not be cut. It was explained that only new help would be put on the minimum hourly rate.

Ohio Valley League Votes to Sign Code

CINCINNATI, Jan. 18.—Members of the Ohio Valley Independent Exhibitors' League, at a meeting here, voted to sign the code with reservations.

The organization was formed a few months ago to replace the Greater Cincinnati M. P. Exhibitors' League and the Ohio Allied unit.

Lafayette Drops Vaude

BUFFALO, Jan. 18.—Vaudeville has been dropped at the Lafayette after a month.

STATE	TOWN	EXCHANGE TERRITORY
THEATRE	CAPACITY	AFFILIATED WITH / NOT AFFILIATED
OWNER ☐ OR LESSEE ☐		
DATE ASSENT RECEIVED		FIRST RUN ☐ SUB. RUN ☐
REMARKS		

This is how index cards used by Code Authority for filing code assents look

Frisco Theatre Men Organize New Group

(*Continued from page* 1)

ing. The invitations to Bowles and Skouras are indications that the organization in no way conflicts with first runs.

Current meetings are being held informally, with no officers elected. Bob McNeil, Golden State; Carol Nathan, Marina; Ben Levin, Levin theatres; Irving Ackerman, Casino, and George Nasser, Nasser Bros. theatres, are members.

Roxy to Alternate M.C.'s on Programs

Alternating masters of ceremonies is the new plan at the Roxy. Rube Wolfe, who enters his second week at the house today, will continue for a number of weeks and then be replaced by Dave Schooler for a limited engagement. Schooler will probably be followed by Wolf or another m. c., but the plan to have these men on the bill intermittently will be the policy from now on.

Tom Olsen Joins Schine

BELLEFONTAINE, O., Jan. 18.—Tom Olsen, previously in charge of three F. W. C. spots as district manager, has been appointed to a similar post for Schine Enterprises, with jurisdiction over the Holland here and the circuit's house at Piqua. He succeeds George Reister, who has received a Skouras district assignment in the Philadelphia region.

Akron, Canton Vaude Out

AKRON, Jan. 18.—Vaudeville goes out at Loew's here and at Canton on Jan. 26, when the two houses revert to straight pictures. The combination policy has been in effect at both stands since the start of the season, but left something to be desired from the box-office angle.

Operate on Rappaport

BALTIMORE, Jan. 18.—Isidor M. Rappaport, operator of the Hippodrome, has just undergone an operation to have his tonsils removed. He will remain away from the theatre for several days for a complete rest.

Returns to M-G-M

HOLLYWOOD, Jan. 18.—Frances Marion returns to the M-G-M lot again after a brief absence. She has been signed by Irving Thalberg to write an original.

Elections of Ampa Shifted to Oct. 1

(*Continued from page* 1)

The fiscal year also was changed from beginning Sept. 1 to beginning April 1.

Sardi's was dropped as the regular meeting place in favor of the Paramount grill. Four big meetings were designated. Jan. 25 will be known as RKO Day, with Frank Buck, Ruth Etting, Mitzi Green, Walter Huston, Tony Carimetti and Roger Baldwin attending. Feb. 1 will be the day when publicity girls of all companies will hold sway and no men will be invited. Feb. 8 will be Eddie Dowling Day and Feb. 21 will be Trade Paper Day.

Amity-Educational Suit Will Continue

No settlement out of court will be made by Amity Pictures of its suit against Educational seeking $100,000 damages for alleged "improper distribution," it was said yesterday by H. William Feitelson, of Feitelson and Mayer, counsel for Amity, after an offer from the defendants was turned down as insufficient. Amity will press its suit in court, with the opening shot scheduled to be fired on Jan. 25, when Earl Hammons, head of Educational, will be examined in Supreme Court.

Para. Partners to Elect 4 Advisors

(*Continued from page* 1)

ed. A. H. Blank will shortly gather his clan in Minneapolis, Barney Balaban will call a Windy City session and Marty Mullin will hold a confab in New England within the next few weeks.

Crinnion Closes Deal

John M. Crinnion has closed a deal with the M. C. Howard Distributing Co. for a new outlet for Amity Pictures in the Atlanta territory.

Reeve Due Next Week

HOLLYWOOD, Jan. 18.—Arch Reeve leaves for New York Tuesday, the day following arrival of Gabe Yorke from the east.

To Start Dog Series

Production will be started by Superior Talking Pictures, Inc., this month, on a series of 12 featurettes featuring Tarzan, the Police Dog.

"Wild Birds" Changed

HOLLYWOOD, Jan. 18.—Don Totheroh's play, "Wild Birds," will be released by Radio under the title "Two Alone" late this month.

Kansas City Again Seeks Price Pacts

(*Continued from page* 1)

bills, giveaways, two-for-ones, etc., but the independents resisted.

Renewal of negotiations indicates the local suburbans are now willing to offer some sort of concession, but they are not saying what it might be until they hear from Loew's home office.

In the meantime, there is no disposition to increase scales and no let-up in practices termed "price evasion." If anything, the trend is toward a decrease and the independents consider the situation as serious.

The Isis, de luxe Fox suburban, recently started double billing on certain nights, at the same time slashing the price from 25 cents to 15 cents. This policy has increased the gross according to reports. One of the leading independents, operating two houses distributes dated passes over a wide suburban area as a regular policy. Publix has reopened the Royal, down town, on a schedule of twin bills a 15 cents, any time.

About the only success so far in attempts at price stabilization has consisted in inducing some managers to eliminate bargain prices for Sunday matinees.

While Samuel Goldwyn recently told MOTION PICTURE DAILY he opposed showing his product, at the Midland's low price, Goldwyn features are shown at the regular price.

Elmer C. Rhoden, Fox Midwest division manager, and A. F. Bake president of the Kansas-Missouri Theatre Ass'n., have been added to committee of independents negotiating with Loew's and working toward price stabilization. The others are A. Schultz, president of Commonwealth Theatres, Jay Means and E. Webber.

Radio to Build Up Astaire and Roger

HOLLYWOOD, Jan. 18.—Radio has made plans to build Fred Astaire and Ginger Rogers as a starring team.

Their first will be "Let's Skip It," an original story by Lou Brock which he will also supervise.

N. Y. U. to Study Film

New York University has decided to inaugurate a course called "The Motion Picture: Its artistic, educational and social aspects," under the direction of Dr. Frederic M. Thrasher. The course will be under the joint auspices of the School of Education, of which Dr. John Withers is dean, and the National Board of Review.

Loews, Vogels Due Soo

Arthur and Mrs. Loew and Joe and Mrs. Vogel are due back from Europe the middle of next month. The Loew office denies anyone in the party is i

Levine Back from Chi.

Nat Levine is bac kfrom Chicago and plans to leave for the coast about a week.

$600.00 IN CASH PRIZES FOR SHOWMEN!!!

CONTEST OPEN TO ALL U. S. AND CANADIAN EXHIBITORS

The *biggest* prize money ontest in years. Open to all exhibitors in the . S. and Canada . . . *regardless* of the size of eatre operated.

Its aim: to get *your* ideas... a practical showman . . . on how to advertise, ploit, publicize the three FOX smash musical oductions now being filmed for spring release... OX FOLLIES, BOTTOMS UP, GEORGE HITE'S SCANDALS.

All three are *musicals.* But three are *different.* Bear this in mind when eparing your campaigns. *Each campaign should distinctive and different from the other.*

READ THESE RULES*

The contest will begin on receipt of this letter and will se February 17th. All campaigns must be in the office of arles E. McCarthy, Fox Film Corporation, 444 West 56th reet, New York City, *not later than that date.*

The contest will be open to all theatre managers and ir employees.

Each contestant must submit complete advertising, ex- itation and publicity campaigns on *each* of the *three* pictures order to qualify for *any* prize.

Contestants who are not equipped to submit drawings or outs of their ideas may describe them in writing and be ured of equal consideration by the judges.

No employees of the Fox Film Corporation will be eligible compete in this contest.

The Advertising and Publicity department of the Fox m Corporation under the direction of Charles E. McCarthy l be the sole and only judge of the contest. Its decision to the winners will be final.

The Fox Film Corporation shall have all rights to use or any part of the campaigns submitted.

9 DIFFERENT AWARDS FOR CAMPAIGNS ON:

FOX FOLLIES

BOTTOMS UP

GEORGE WHITE'S SCANDALS

3 Prizes on EACH of the above:

1. $100 for the best complete campaign including outdoor, advertising, exploitation, publicity.
2. $50 for the best newspaper advertising campaign.
3. $50 for the best outdoor and exploitation campaign.

* REMEMBER, that in order to qualify for *any* of these prizes, each contestant must submit a *complete* campaign *on all three pictures!*

THE PRIZES will be distributed as soon as possible after the winners have been determined. In case of a tie, duplicate prizes will be awarded.

WATCH for a letter addressed to you containing everything you need to know for the contest.

SHOW your mettle as a showman. Start laying out your campaigns *now.* Don't wait!

Send them along at once to:

CHARLES E. McCARTHY
Director, Advertising and Publicity
Fox Film Corporation, 444 W. 56th St., New York City

FOX

Holdovers Get Big Money in San Francisco

SAN FRANCISCO, Jan. 18.—Showgoers went for holdovers in a big way last week. Four led the town with high grosses. At the Warfield "Dancing Lady," in its second week, grabbed a very good $20,000. Not far behind was the Fox, which featured "Emperor Jones," roadshown previously at the Columbia. The take was $14,000, biggest week for this house in many months. At the Golden Gate the second week of "Flying Down to Rio" got $14,500, while "Roman Scandals" at the United Artists, in its third week, garnered $13,000. The rest of the town couldn't stand the pace.

Total first run business was $80,500. Average is $69,000.

Estimated takings:

Week Ending Jan. 9

"FLYING DOWN TO RIO" (Radio)
GOLDEN GATE—(2,800), 25c-35c-40c, 7 days, 2nd week. Stage, band. **Gross:** $14,500. (Average, $13,000.)

Week Ending Jan. 10:

"CROSS COUNTRY CRUISE" (Univ.)
"ACE OF ACES" (Radio)
ORPHEUM—(3,000), 15c-35c-40c, 7 days. **Gross:** $7,000. (Average, $9,000.)

"DANCING LADY" (M-G-M)
WARFIELD—(2,700), 25c-35c-55c-65c-90c, 7 days, 2nd week. Stage, band. **Gross:** $20,000. (Average, $16,000.)

"MISS FANE'S BABY IS STOLEN" (Para.)
"AS HUSBANDS GO" (Para.)
PARAMOUNT — (2,670), 15c-25c-30c-40c-55c, 7 days. **Gross:** $9,000. (Average, $12,000.)

"EMPEROR JONES" (U. A.)
"RIDERS OF DESTINY" (Monogram)
FOX—(4,600), 10c-15c-25c-35c, 7 days. Stage, 10 vaude acts. **Gross:** $14,000. (Average, $9,000.)

Week Ending Jan. 12:

"RED HEAD" (Independent)
FILMARTE—(1,400), 25c-35c-40c, 7 days. **Gross:** $3,000. (Average, $3,000.)

Week Ending Jan. 14:

"ROMAN SCANDALS" (U. A.)
UNITED ARTISTS—(1,200), 25c-40c-50c, 7 days. Stage show. **Gross:** $41,533. age, $7,000.)

Warners Want Jannings

HOLLYWOOD, Jan. 18.—Warners have cabled an offer to Emil Jannings, now in Austria, to play the role of King Louis in "Du Barry."

"Dames" Berkeley's First

HOLLYWOOD, Jan. 18.—Busby Berkeley's first directorial effort at Warners will be "Dames," slated to co-star Ruby Keeler and Dick Powell.

Zanuck Signs Del Ruth

HOLLYWOOD, Jan. 18.—Roy Del Ruth has been signed by 20th Century. His first will be "Bulldog Drummond Strikes Again."

NOW PLAYING
3rd WEEK AT
GRAND CENTRAL, ST. LOUIS
Forgotten Men
For Dates and State Rights
JEWEL PROD. Inc., 723 7th Ave., N. Y. City

Looking Over Shorts

"Italy"
(Vitaphone)

E. M. Newman has made an extremely interesting travelogue out of this number. It is one of the "Musical World Journey" series. Venetian scenes showing motorboats, buses and other modern phases of Venice shed a new light on the city of canals for one who hasn't been there. Other scenes show an odd community in southern Italy, Alberobello, where all the houses are made of stone. Running time, 11 mins.

"What Does 1934 Hold?"
(Educational)

Another of the Al Christie Treasure Chest series featuring Wynn, the astrologer. His predictions for 1934 are introduced at a banquet with various dinner guests asking questions. Among other things he predicts the worst year yet in the stock market and tells what will happen to groups born in certain periods. A bit dull for those not interested in astrology. Running time, 10½ mins.

"Isn't That Awful"
(Vitaphone)

Goodman and Jane Ace, the Easy Aces of the radio, are introduced. He finally becomes disgusted with her radio enthusiasms and tries all the things all the announcers urge him to try. It's only mildly entertaining. Running time, 10 mins.

"Vaudeville on Parade"
(Universal)

For houses where vaudeville is popular and the expense is high this ought to get by. A series of vaudeville acts is presented with Harry Hershfield and Harold Stern alternating as masters of ceremonies. The acts include Harold Stern and his orchestra; Charles Collins, dancer; Jack McMellen, comedian; Eddie Peabody and his banjo; De Dio's animal circus, and the Albertina Rasch girls. Only mildly entertaining. Running time, 20 mins.

"The China Shop"
(Disney—U. A.)

One of the "Silly Symphony" series in color and a swell short. An old man closes his china shop. The clock winks and starts ticking faster. Two dolls in old fashioned clothes dance and a green china devil starts raising ned. In the fight that follows most of the glassware and crockery is either broken or cracked. The old man changes his sign to antique shop next day. Running time, 10 mins.

"The Mississippi"
(Vitaphone)

Scenes along the Mississippi at low water and when it is in flood, and the Mardi Gras at New Orleans are used to illustrate Ferde Grofe's "Mississippi Suite." The music is great. It is one of the "Tone Journeys." Running time, 10 mins.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Six of a Kind"
(Paramount)

HOLLYWOOD, Jan. 18.—Laughter in varied degrees rocked the audience at a preview of "Six of a Kind." As a combination of hokum, slapstick and smart lines conveyed by well known comics, it should keep the customers in gay and happy spirits.

The story tells of a couple, Mary Boland and Charlie Ruggles, embarking on a second honeymoon after 20 years of storm and strife. The wife advertises for a couple to accompany them on an auto tour to Hollywood to save expenses, not stating whose, and in pop Burns and Allen with a great dane. These four, stopping at Silver Gulch, bump into W. C. Fields and Alison Skipworth, who run a hotel. Melodrama rears up, with Ruggles first charged with but finally cleared of embezzlement, permitting him and Miss Boland to consummate their second honeymoon without interruption.

While the plot runs thin, laughs come thick and fast. Leo McCarey's direction is fine. Fields' pool-table performance while explaining to Tammany Young why they call him "Honest" John is not only the outstanding laugh sequence, but is creative comedy of the finest and funniest kind. A sequence with Burns and Allen snapshooting Miss Boland and Ruggles atop and over the Grand Canyon mixes thrills with laughs.

"Six of a Kind" handsomely meets the present public demand for laughter and with the name draws it should have a merry time in any type of house.

"Eskimo," this morning's opener at the Capitol, was reviewed on Nov. 15.
"Miss Fane's Baby Is Stolen," this morning's opener at the Paramount, was reviewed by wire from Hollywood on Dec. 16.
"Cross Country Cruise," last night's preview at the Roxy, was reviewed on Jan. 11.

B'way Quiet; "I Were Free" Gets $68,800

Broadway had nothing outstandin last week, with eight holdovers. To money honors went to "If I Wer Free" at the Music Hall with a tak of $68,800, not high enough to roll u a big profit.

Radio City's other house, the Center took $12,000 with "Flying Down t Rio."

"Dinner At Eight" had a good sec ond week at the Capitol with a tak of $41,533, and "Design for Living held up to $39,600 in its second wee at the Paramount. "Roman Scandals finished its third week at the Rivol with $24,832, but grosses elsewher were nothing to get excited about.

Estimated takings:

Week Ending Jan. 10:

"IF I WERE FREE" (Radio)
RKO MUSIC HALL—(5,945), 35c-$1.65, days. Stage show. **Gross:** $68,800.

"FLYING DOWN TO RIO" (Radio)
RKO CENTER—(3,700), 25c-55c, 7 day **Gross:** $12,000.

Week Ending Jan. 11:

"DINNER AT EIGHT" (M-G-M)
CAPITOL—(4,700), 35c-$1.65, 2nd week, days. Stage show. **Gross:** $41,533.

"HOUSE ON 56TH STREET" (Warners
HOLLYWOOD—(1,545), 25c-85c, 6th wee 7 days. **Gross:** $5,816.

"BOMBAY MAIL" (Univ.)
PALACE—(2,500), 25c-75c, 7 days. Stag show. **Gross:** $11,500.

"DESIGN FOR LIVING" (Para.)
PARAMOUNT—(3,700), 35c-99c, 2nd wee 7 days. Stage: Joe Penner and cast 50. **Gross:** $39,600.

"BY CANDLELIGHT" (Univ.)
ROXY—(6,200), 25c-55c, 7 days. Stag show. **Gross:** $28,200.

"LADY KILLER" (Warners)
STRAND—(2,000), 25c-$1.10, 2nd week, days. **Gross:** $14,505.

Week Ending Jan. 12:

"MAN'S CASTLE" (Col.)
RIALTO—(2,200), 35c-99c, 2nd week, days. **Gross:** $11,000.

"ROMAN SCANDALS" (U. A.)
RIVOLI—(2,200), 35c-99c, 3rd week, days. **Gross:** $24,832.

Week Ending Jan. 14:

"QUEEN CHRISTINA" (M-G-M)
ASTOR—(1,012), 55c-$2.20, 3rd week, days. **Gross:** $18,700.

Week Ending Jan. 15:

"BEFORE MIDNIGHT" (Col.)
MAYFAIR—(2,300), 35c-85c, 7 day **Gross:** $7,000.

MOTION PICTURE ALMANAC
1934-35
NOW IN PREPARATION
WHERE THE WORLD LOOKS FOR MOTION PICTURE facts
PRICE $5.00

A Question
ANSWERED

WHAT big picture today does *not* include backgrounds that call for composite photography? The answer is obvious. . . . The really vital point is: what medium to use in photographing these important backgrounds? . . . Eastman has answered that question. Eastman Background Negative, with its remarkably fine grain, its surprising speed, and its excellent processing characteristics, completely solves the film problem of the composite shot. Eastman Kodak Company. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN
Background Negative

It Moves Fastest

THE extreme ends of the nation—Hollywood and New York—are only minutes apart in the fast, news coverage system employed in the day-by-day production of Motion Picture Daily.

By wire, telephone and air mail, sixty correspondents, resident out in the field where the film industry is, are writing trade history daily.

You'll find it all, plus telegraphed box-office reviews and straight - from - the - shoulder reviews, in this or any other edition of the industry's livest, fastest-moving daily newspaper.

MOTION PICTURE DAILY

1790 Broadway, New York City

Subscription rate: $6 a year

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 35. NO. 17 NEW YORK, SATURDAY, JANUARY 20, 1934 TEN CENTS

Majors to Fight Rule on Cancellations to Dec. 8

Warners Back On Operating Profit Basis

First Quarter Since '30 $105,752.86 to Good

For the first quarter since 1930 Warner Bros. Pictures, Inc., and subsidiaries report an operating profit. The total is $105,752.86 after deducting all charges, including interest, amortization, depreciation and provisions for Federal income taxes for the quarter ending Nov. 25, 1933. This compares with a net operating loss of $1,746,761.95 for the same quarter in 1932.

Net profit from operations before amortization and depreciation and Federal income taxes was $1,933,-

(*Continued on page 4*)

Federation Urged To Enter Ad Code

The committee on standards of the Federation of the M. P. Industry, originally designed to draw up codes of ethics for independent production and advertising, submitted a report to the executive board of the federation yesterday recommending that members of the organization utilize, instead, the M. P. P. D. A. codes and the boards set up to enforce them.

The Hays boards include the studio relations office in Hollywood under Dr. James Wingate and the adver-

(*Continued on page 4*)

Report McDonough to Set Policy at Radio

HOLLYWOOD, Jan. 19.—J. R. McDonough's visit to the Radio studios here is understood to be for the purpose of getting first hand information regarding production and to try to arrive at some sort of basis for a conclusion on whether the unit system better than a one-man policy.

After he has obtained all the facts Radio's production policy will be announced, it is said. Inasmuch as Merlin C. Cooper's agreement expires March 1, a new deal probably will be made.

Katz, Franklin and Moss Hold Meeting

Sam Katz, B. S. Moss, and Harold E. Franklin yesterday held an important conference at the Monarch Theatres headquarters. David Chatkin, in from Cleveland, also attended.

Film Strike Hard Blow in Kansas Town

MANHATTAN, Kan., Jan. 19.—The havoc that can be raised by closed theatres with the economic life of a community was demonstrated in this college town when three houses darkened for four weeks through the profitable holiday season in an attempt to force city officials to permit Sunday shows.

Reopened after a losing fight on a six-day basis, the theatres are recouping their lost income and the town's merchants are smiling again.

The controversy plunged Manhattan into seething debate. At first, it was largely the moral issue that came to the surface. But as business men realized Glen Dickinson, operating the Wareham and Dickinson, and Sam

(*Continued on page 4*)

Columbia Men Hold Sales Confab Here

Columbia will hold the first of a series of regional sales meetings today at the home office. This one will be for the eastern division, with Abe Montague, general sales manager, presiding. The next session will be next Saturday in Chicago with Jerry

(*Continued on page 2*)

Await High Court's Ruling Upon Leases

A Supreme Court ruling which will affect $3,557,000 in lease claims against Publix Enterprises, bankrupt, is expected to be handed down in March.

The action involved was initiated in connection with lease claims filed against United Cigar Stores and is

(*Continued on page 4*)

Publix Enterprises Leaving Para. Bldg.

Offices in the Paramount Building used during the past year for administration of Publix Enterprises in

(*Continued on page 4*)

Pull Triple Loan

Hollywood, Jan. 19.—An unusual twist to the loan system came to light yesterday when M-G-M entered into agreements for three players from as many studios.

From Columbia a deal was made to borrow Donald Cook for a role in "Viva Villa." An agreement with 20th Century found Leo getting Fay Wray for the same picture. Universal loaned out Onslow Stevens for "It Happened One Day."

Coast Poised For Arguments To Rosenblatt

HOLLYWOOD, Jan. 19.—Anticipating that various organizations and labor groups will pounce upon Division Administrator Sol A. Rosenblatt on Monday with complaints of every conceivable nature, producers will go into a huddle with Will H. Hays over the week-end for the purpose of formulating plans to combat squawks reflecting upon them.

They may also discuss methods of having one centralized organization to be spokesman for the creative branches of the industry. This points to a revitalized Academy, as they are disinclined to recognize the Writers' and Actors' Guilds as official spokes-

(*Continued on page 4*)

Income Tax in '31 Hit 3,061 Concerns

WASHINGTON, Jan. 19.—Although 8,802 amusement corporations filed tax returns for 1931, only 3,061 showed net income for the year, it was disclosed today by the Internal Revenue Bureau.

Statistics of income compiled by the bureau show that these 3,061 corporations had a gross income for the year of $388,961,000, net income of $35,749,000 and net losses for prior

(*Continued on page 2*)

Contend Code Does Not Affect Pacts Made Before Signing

That Division Administrator Sol A. Rosenblatt had no authority to rule that the 10 per cent elimination clause of the code would apply on product released after Dec. 8, even though contracts were made before that date, is the opinion held by major company legal departments questioned here yesterday.

Counsel for the major companies contend that the question of whether or not the clause is retroactive is not settled in the code itself and, therefore, is a matter of contract to be decided by individual company policy. It was intimated that distribution companies would oppose Rosenblatt's ruling, by taking the matter to court if attempts were made to apply this interpretation to contracts made prior to Dec. 8.

Legal representatives of the distributors contend hat no code for any industry has been permitted to disturb existing contracts and if an attempt was made in this industry it would be a matter for a law court, rather than a code board, to settle.

Several described the Rosenblatt

(*Continued on page 4*)

Authority Issues 36 New Selections

Another list of selections for zoning and clearance and grievance boards was made public today by the Code Authority. It includes 36 names from 12 exchange centers, making the total to date 782.

Among them is the second college professor to receive a recommendation. He is Professor E. V. Hollis

(*Continued on page 4*)

Bareford Goes West; Is Warner Alternate

Harold S. Bareford, legal aid of Warner Brothers, left yesterday for the coast with his wife to meet Harry M. Warner. Bareford is alternate for Warner on the Code Authority and his absence from New York next Tuesday leaves the Warner president without representation at the meeting.

Mrs. Sol A. Rosenblatt was on the same train. Her husband joins her at Chicago this morning.

MOTION PICTURE DAILY

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Subscription rates per year: $6 in tbe Americas, except Canada $15 and foreign $12. Single copies: 10 cents.

Flash Reviews

"Coming Out Party"
(Fox)

HOLLYWOOD, Jan. 19.—Aimed at women, this picture should please as program evaluation. . . .

"16 Fathoms Deep"
(Monogram)

There is a moderate amount of entertainment in it. . . . The biggest asset is its photography.

Full reviews of these films will appear in a later issue of MOTION PICTURE DAILY.



Income Tax in '31 Hit 3,061 Concerns

(Continued from page 1)

years of $3,166,000. The total income tax collected from these corporations was $3,496,000.

The 4,657 amuscment corporations showing no net income had a gross income for the year of $735,980,000 and a deficit of $61,152,000. The remaining 1,084 corporations were inactive and had no income.

Analysis of the amusement returns showed that 234 were filed by film producers, 54 of which reported gross income of $29,696,000 and net income of $2,698,000, paying a tax of $318,000, while 145 had a gross income of $412,-252,000 and a deficit of $11,372. Thirty-five producing corporations were inactive.

Returns were filed by 2,387 picture theatre corporations, 1,167 of which, with gross income of $276,519,000 and net of $26,005,000, paid a tax of $2,-638,000, while 72 were inactive, and 1,148, with gross income of $208,133,-000, showed a deficit of $21,582,000.

Houston Turns Out To Welcome Horwitz

HOUSTON, Jan. 19.—Nearly 3,000 citizens turned out at the City Auditorium to welcome Will Horwitz back home after he had served seven months in the Leavenworth prison for operation of a lottery in connection with a radio station at Reynosa, Mexico.

Rev. William States Jacobs presided. Addresses were made by city commissioners and attorneys. Horwitz responded and said he would devote himself entirely to his theatres in the future.

Labor unions sponsored the gathering.

Rogers and Warner Reported in Dicker

HOLLYWOOD, Jan. 19.—H. M. Warner is week-ending at Agua Caliente with Charles R. Rogers and rumors are current that the latter will join Warners as a producer on the basis under which he has been operating at Paramount.

Court Hears Allied Theatres' Arguments

Counsel for Manufacturers' Trust Co., trustees under an indenture for $9,000,000 in bonds issued by the Allied Owners Corp., yesterday asked Federal Judge Robert A. Inch of Brooklyn for permission to foreclose on five theatres of the concern—Loew's Valencia in Jamaica, the Pitkin, the Kings and the Paramount in Brooklyn and a theatre in Birmingham, Ala.

It was contended that all efforts to reach an agreement with the trustees in bankruptcy for Allied Owners Corp. had proved unsuccessful during the last five months. Counsel for the trustees in bankruptcy, Monroe Goldwater, opposed the foreclosure application and said that the Manufacturers Trust Co.'s only interest was in getting the fees and in the welfare of the bondholders. Goldwater said that three of the theatres have been included in a purchase agreement with Loew's, Inc., who are willing to pay $10,000,000 for them. However, Loew's, Inc., has recently refused to make the $58,000 monthly payments called for in the purchase agreement on the ground that it cannot be assured that the trustees can legally turn over the theatres to the buyers. Judge Inch directed that memoranda be exchanged and that all papers in the case be submitted to him for decision next Wednesday.

Court to Act Upon Appeal by Quittner

An action furthering an appeal of the Edward Quittner monopoly suit against major distributors for $5,-200,000 triple damages was assigned yesterday to Federal Judge Francis G. Caffey to be heard in chambers next Friday. The action seeks leave to determine the content of the record to be submitted to the U. S. Circuit Court of Appeals. If decided in Quittner's favor, the plaintiff will be ready to proceed with the appeal at once, according to his attorneys, Graham & Reynolds. An adverse decision would mean a further delay in bringing the action before the higher court, it was said.

Quittner's suit was dismissed by the U. S. District Court here after a lengthy trial last Spring.

Many Stocks Take Big Profits

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc.	26¾	25¼	26¾	+1¼	200
Consolidated Film Industries	3¼	3¼	3¼	+ ⅛	100
Consolidated Film Industries pfd.	13⅛	12¾	13⅛	+ ⅝	700
Eastman Kodak	87	84¾	86½	+1¾	2,000
Eastman Kodak pfd.	120	120	120	—1	2,000
Fox Film "A"	15¼	14	15¼	+1⅛	500
Keith-Albee-Orpheum pfd.	20	20	20	+5	100
Loew's Inc.	29½	27	29¼	+2	10,500
Loew's Inc. pfd.	80	80	80	— ¼	100
Paramount cts.	3¼	2⅞	3⅛	+ ⅛	6,400
Pathe Exchange	1⅞	1⅝	1⅞	+ ⅛	100
Pathe Exchange "A"	12⅜	11½	12⅜	+ ¾	100
RKO	3⅛	2⅝	3	+ ¼	2,700
Universal Pictures pfd.	24	23	24	+1	2,000
Warner Bros.	6¾	5⅞	6¾	+ ⅞	3,600
Warner Bros. pfd.	20⅜	18½	20⅜	+4⅞	100

Technicolor in ⅛-Point Loss

	High	Low	Close	Net Change	Sales
Technicolor	9½	9	9⅛	— ⅛	400

Paramount Publix Declines ½

	High	Low	Close	Net Change	Sales
General Theatre Equip. 6s '40	6½	6⅛	6¼	+ ¼	9
General Theatre Equip. 6s '40 ctf.	6¼	6¼	6¼	.....	1
Loew's 6s '41 ww deb rights	90	90	90	+ ¼	1
Paramount F. L. 6s '47	39⅞	39⅞	39⅞	+ ⅛	2
Paramount Publix 5½s, '50	37	37	37	— ½	2
Warner Bros. 6s '39 wd	46½	45¾	46	— ¼	12

Columbia Men Hold Sales Confab Here

(Continued from page 1)

Safron, eastern division sales manager, attending.

One of the principal topics of discussion will be special campaigns for "It Happened One Night," "No Greater Glory," "Twentieth Century" and "Red Square."

Home office executives who will attend will be: Jack Cohn, vice-president; Abe Montague, Rube Jackter, Louis Weinberg, J. W. MacFarland, Lou Astor, Milton Hannock and Maurice Grad. Sam Moscow, southern division manager, will represent the southern offices. Eastern division men to attend will be: Branch Managers, Nat Cohn and Ed Schnitzer, New York; C. N. Johnston, Albany; T. F. O'Toole, Boston; Joe Miller, Buffalo; I. H. Regovin, New Haven; H. E. Weiner, Philadelphia; A. H. Levy, Pittsburgh, and S. A. Galanty, Washington.

Laemmle's Birthday Is Observed at "U"

HOLLYWOOD, Jan. 19.—Celebrating Carl Laemmle's 67th birthday, Universal executives, directors, writers and contract players gathered on one of the stages to help him partake of a 67-pound cake.

In the evening the veteran producer was host to 100 business associates at his Beverly Hills home.

SMPE Board Meeting

The S.M.P.E. board of directors met yesterday to discuss the changes in membership proposed at the last meeting of the society. If the new plan is accepted, two classes of membership will be supplemented by a third, to be known as "fellows," with a fee of $20 annually. A reduction of membership fees was also discussed with the decisions of the board to be made public some time today.

Para. Starting Five

HOLLYWOOD, Jan. 19.—Five productions are being placed in work this week at the Paramount studios with the arrival of Adolph Zukor on the coast. They are "Melody in Spring," "The Man Who Broke His Heart," "The Baby in the Ice Box," "We're Not Dressing" and "The Trumpet Blows."

Meet Again on Unit

Second meeting between A. H. Schwartz and Jack Springer and Sam Cocalis of the Springer & Cocalis circuit to form a new independent exhibitor unit locally was held yesterday morning. Lee Ochs is reported interested as well as George Skouras.

To Trade Show "Nana"

United Artists will hold trade showings in all cities but New York on "Nana" on Jan. 23. The local showing is being dropped in view of the picture opening at the Music Hall on Feb. 1.

Ampa Elections May 1

Ampa's annual elections are to be held on May 1 instead of Oct. 1. The dates were inadvertently reversed yesterday in MOTION PICTURE DAILY.

$600.00 IN CASH PRIZES FOR SHOWMEN!!!

CONTEST OPEN TO ALL U. S. AND CANADIAN EXHIBITORS

The *biggest* prize money

ontest in years. Open to all exhibitors in the J. S. and Canada . . . *regardless* of the size of heatre operated.

Its aim: to get *your* ideas...

s a practical showman . . . on how to advertise, xploit, publicize the three FOX smash musical roductions now being filmed for spring release... OX FOLLIES, BOTTOMS UP, GEORGE VHITE'S SCANDALS.

All three are *musicals.* But

l three are *different.* Bear this in mind when reparing your campaigns. *Each campaign should distinctive and different from the other.*

READ THESE RULES*

The contest will begin on receipt of this letter and will ose February 17th. All campaigns must be in the office of harles E. McCarthy, Fox Film Corporation, 444 West 56th reet, New York City, *not later than that date.*

The contest will be open to all theatre managers and eir employees.

Each contestant must submit complete advertising, ex- itation and publicity campaigns on *each* of the *three* pictures order to qualify for *any* prize.

Contestants who are not equipped to submit drawings or outs of their ideas may describe them in writing and be sured of equal consideration by the judges.

No employees of the Fox Film Corporation will be eligible compete in this contest.

The Advertising and Publicity department of the Fox m Corporation under the direction of Charles E. McCarthy ll be the sole and only judge of the contest. Its decision to the winners will be final.

The Fox Film Corporation shall have all rights to use or any part of the campaigns submitted.

9 DIFFERENT AWARDS FOR CAMPAIGNS ON:

FOX FOLLIES

BOTTOMS UP

GEORGE WHITE'S SCANDALS

3 Prizes on EACH of the above:

1. $100 for the best complete campaign including outdoor, advertising, exploitation, publicity.
2. $50 for the best newspaper advertising campaign.
3. $50 for the best outdoor and exploitation campaign.

* REMEMBER, that in order to qualify for *any* of these prizes, each contestant must submit a *complete* campaign *on all three pictures!*

THE PRIZES will be distributed as soon as possible after the winners have been determined. In case of a tie, duplicate prizes will be awarded.

WATCH for a letter addressed to you containing everything you need to know for the contest.

SHOW your mettle as a showman. Start laying out your campaigns *now.* Don't wait!

Send them along at once to:

CHARLES E. McCARTHY
Director, Advertising and Publicity
Fox Film Corporation, 444 W. 56th St., New York City

FOX

Majors Will Fight Rule on Cancellations

(*Continued from page* 1)

ruling as "a press release for publicity purposes," refusing to take it seriously. Sales executives themselves declared that they would be "reluctant to consider the ruling as final" and stated that, while they had not yet received any official notification of Rosenblatt's ruling they would carry their first objection direct to the division administrator as soon as they were officially advised. In the meantime, no exchanges have been notified by home offices to make the cancellation provisions retroactive to Dec. 8, it was stated.

Sales executives declared that they stood to lose a large volume of rentals if the Rosenblatt ruling were to be enforced, and agreed with the legal departments that the retroactive application of the clause was a matter of contract and not of code interpretation, and was, therefore, something for individual companies to decide. They intimated that adjustments which they considered proper would be made on some contracts, particularly those which did not involve the entire schedule of product, but only on blocks of it sold at relatively higher rentals. Blanket product deals, however, were made, they said, on a low price basis determined by the fact that the exhibitor took the entire schedule of pictures.

Authority Issues 36 New Selections

(*Continued from page* 1)

of Cincinnati, but his educational affiliation is not noted.

The latest selections follow:

Atlanta—George E. Fuller, Willis J. Davis, George W. West, Ralph Smith, W. Anderson, Jimmie Hanlon, John Mangham Bromberg, Ernest Morrison, Alpha Fowler, Dave Prince, Sam Moscow, John Ezell.
Boston—William Erbb, J. M. Casey, Merton Carr.
Chicago—John J. Jones.
Cleveland—Mrs. Georgia Moffitt.
Cincinnati—Prof. E. V. Hollis.
Des Moines—Frank D. Rubel, Harry Hiersteiner, Julius Geertz.
Los Angeles—Milton B. Arthur, Hobart Swan, Ray Peterson, Robert Gumbiner, H. J. Siler.
Minneapolis—Fred V. Holzapfel.
New Orleans—George E. Fuller.
New York—Harry Friedman, Joseph Vergesslich.
Pittsburgh—J. Horvitz.
Salt Lake City—Harry David, Charles Epperson, Irving Schlank.

Tabulations Start On Code Board List

Tabulations on the total number of assents and recommendations for posts on the 32 clearance and zoning and grievance boards, which have been pouring in steadily, will begin today at the headquarters of the Code Authority.

Tomorrow night is the deadline for exhibitors sending in suggestions for the clearance and zoning and grievance boards. A barrage of recommendations is expected over the week-end.

Those signing assents have until Jan. 31 to send them in.

Coast Poised For Arguments To Rosenblatt

(*Continued from page* 1)

men for their branches, as it is feared their demands may be prohibitive from the economic viewpoint.

Several groups have already made known their intention of seeking recognition. Among them are the laboratory union, I.A.T.S.E., Local 683, which will petition for the setting up of one code in this district, on the ground that it is unfair for laboratory workers to attempt to abide by two codes, one for studio and the other for commercial work. The former receive more pay and less hours than do the commercial men.

Riding actors, comprising 95 per cent of the cowboy actors, want an individual code to meet their special, unique work, which, they claim, differs much from the general extras' work. Studio hairdressers, including 57 studio hairdressers unaffiliated with any labor group, want their own code and will ask for permission to conduct collective bargaining for more favorable working conditions and higher wages.

The cameramen's union will start a battle to prevent the A.S.C. from negotiating with producers, claiming their action is not in accord with the spirit of the NRA.

Ruling on Contests Under Code Sought

Efforts to determine what contests are permitted for theatres under the restrictive provisions of the industry code were made yesterday by advertising and publicity heads of major companies meeting with J. J. McCarthy, M. P. P. D. A. advisor on exploitation matters. No decisions were reached as a result of the discussions held and later meetings are expected to be called.

Basic agreements have been reached on the type of contests prohibited under the code and the current efforts are an attempt to determine what type, if any, is permissible.

No New Public Code Hearings Expected

WASHINGTON, Jan. 19.—General Hugh S. Johnson's statement in his New York address before the Retail Dry Goods Ass'n last night that all codes would be considered again next month is not taken here to mean the reopening of public hearings.

The administrator's statement is held to refer to the conference of all code authorities planned by him at which will be discussed compliance and other matters with a view to securing uniformity.

Fox Suit Is Heard

COLUMBUS, Jan. 19.—Fox Film's suit against the C. & M. Amusement Co., operating at Cambridge and Marietta, in which breach of contract is charged, has been taken under advisement by Federal Judge Benson W. Hough. Jury trial was waived by both sides and briefs were submitted.

The amount involved is $5,200.

Strike Hard Blow To Town in Kansas

(*Continued from page* 1)

Sosna, owner of the Varsity, were not bluffing, they became alarmed, and the economic problem slipped in to steal the show. The exhibitors contended Sunday was their only profitable day and their theatres would remain shuttered until the welfare board consented to seven-day operation.

When the theatres closed, the newspapers lost considerable advertising, drug stores missed the usual influx of trade after the show, hotels complained traveling men avoided Manhattan for all-night stopovers, taxi companies kicked, restaurant operators reported similar slumps in business, students at the Kansas State Agricultural College who craved entertainment registered loud protests.

Publix Enterprises Leaving Para. Bldg.

(*Continued from page* 1)

bankruptcy will be vacated next Thursday by the large staff of administrators and attorneys assigned to the estate by Irving Trust Co., trustee in bankruptcy, and Winthrop, Stimson, Putnam & Roberts, counsel for the trustee.

Operation of the former Publix Enterprises' theatres is now in the hands of Famous Theatres Corp., Paramount subsidiary, which bought the properties for $1,800,000. This terminated virtually all of the bankruptcy work on the part of the trustee and counsel, whose staffs have occupied a large part of the sixth floor of the home office since the bankruptcy a year ago. The remainder of the Publix Enterprises' bankruptcy work involves only legal representation on lease claims against the company and will be handled directly from the downtown offices of Irving Trust. George Topliff, in charge of the staffs, has returned already to Irving Trust's downtown headquarters.

Await High Court's Ruling Upon Leases

(*Continued from page* 1)

said by attorneys associated with the Publix Enterprises bankruptcy to parallel in all particulars the theatre lease claims filed against the latter company. The ruling will determine the validity of lease claims against a bankrupt estate, and pending its being handed down, no lower Federal court will pass on the legality of such claims, it was stated.

Such claims pending against Publix Enterprises aggregate $3,557,000. Their final disposition will wind up the theatre company's bankruptcy.

Vaudeville Protest Given to Authority

WASHINGTON, Jan. 19.—Prior to his departure for the coast today, Division Administrator Sol A. Rosenblatt turned over the complaints of vaudeville representatives against film code provisions regarding chorus wages, rehearsals and layoffs, to the Code Authority for further consideration. The matter will be taken up at the meeting on Tuesday.

Warners Back On Operating Profit Basis

(*Continued from page* 1)

356.52. Added to this was a profit of $655,262.54 from the retirement of optional six per cent debentures and bonds of subsidiary companies after the deduction of Federal income taxes on these securities.

Current assets are listed as $15,141,463.07, including $2,462,586.53 cash. Current liabilities are $12,606,165.38. During the quarter current assets increased $1,132,305.65. Current liabilities increased only $37,725.03.

Capital surplus is given as $56,325,484.56.

Among current working assets are listed $4,541,450.23 for released productions, less amortization; $3,215,251.88 for productions completed but not released, and $2,182,083.51 for productions in progress, at cost.

The three months' profit from all sources reduced the company's accumulated deficit by $655,262.54, leaving it at $18,785,989.66. It was carried to the balance sheet.

Federation Urged To Enter Ad Code

(*Continued from page* 1)

tising and publicity advisory office under J. J. McCarthy here. The functions of the offices are to advise on ethical standards in production advertising, publicity and exploitation, including the release of stills. It is understood that the federation committee's report favoring the use of the Hays office facilities was influenced largely by a study of the costs involved in setting up the advisory offices and financing their operations.

The committee's report is to be submitted to a meeting of the entire membership of the federation next week. If approved, it will bring virtually the entire industry under the regulations of the Hays codes of ethics for both production and the selling and exploitation of pictures.

The federation's committee on standards submitting the report is composed of Edward Golden, Monogram, chairman; Herman Gluckman, Majestic; Charles Glett, Freuler, and Harry Thomas, First Division, president of the federation and an ex-officio member of the committee.

Seat Industry Hard Hit by Depression

WASHINGTON, Jan. 19.—Depression in the amusement industries, drastic reduction in construction activities and depletion of church treasuries reduced sales of the public seating industry from $28,000,000 in 1929 to $4,000,000 last year, it was disclosed today at the hearing on the code for that industry.

Farewell Party Set On Coast for Reeve

HOLLYWOOD, Jan. 19.—A farewell dinner is being planned for Arch Reeve to be held on the eve of his departure for New York at the Beverly-Wilshire next Monday night

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

OL. 35. NO. 18 NEW YORK, MONDAY, JANUARY 22, 1934 TEN CENTS

Unit System Gaining with 71 Producers

Twelve Directors Made Producers Recently

HOLLYWOOD, Jan. 21.—The apparent ccess of the unit production system the past year is manifested by a eck-up of various studios which ows a total of 71 producers now tively engaged and responsible for e various pictures assigned them.

Practicability of this system is fur- er indicated by the fact that more an 12 directors have been elevated to oducers in the past 90 days. To ote the unanimous opinion of studio ads, the system is most practical and ill become more desirable during the ar when individuality, it is agreed, ust play an important factor in the aking of celluloid entertainment.

Convinced now that no one indi- dual can successfully guide the desti-

(Continued on page 4)

Features in Work Increase on Coast

HOLLYWOOD, Jan. 21.—Production r the week ending Jan. 20 shows an crease of five features over the pre- ding week with the number of orts remaining the same. This eek's chart shows a total of 32 fea- res and 11 shorts in work. Twenty- e features are in the final prepara- n stages, scheduled to start within e next two weeks and 43 in the

(Continued on page 8)

Virginians Line Up Tax Fight Figures

RICHMOND, Jan. 21.—Virginia ex- bitors, under the leadership of the P.T.O., are gathering statistics to lster their claim that they cannot rvive Gov. George C. Peery's pro- sed five per cent tax on tickets.

They point out that only 210 of the te's 356 houses survived 1930. They

(Continued on page 8)

It's Evolution

Hollywood, Jan. 21.—Here's the evolution of a title at Columbia during the various phases of production.

"Paul Street Boys," next "No Greater Glory," then "Men of Tomorrow" and finally "No Greater Glory."

Rosenblatt to Probe Talent Raids During His Coast Stay

Chicago, Jan. 21.—A probe into alleged unfair trade practices of major studios in competing for talent is one of the aims of Division Administrator Sol A. Rosenblatt's trip to the coast, he revealed upon arrival here Saturday en route west.

The assignment comes direct from the President, he stated.

New Theatre Union Scale About Ready

The new wage scales for ushers, doormen and janitors which Charles C. Levey, secretary-treasurer of Local 118, Building Service Employes Union, said last week would "knock exhibitors cold," may be submitted to major circuits by the union today or tomorrow, Levey said on Saturday.

Two rulings which are expected to decide whether janitors, cleaners and doormen are to be classed as "skilled workers" and, therefore, subject to working more than 40 hours per week, or unskilled labor coming within the 40-hour maximum, are expected tomorrow by Local 118 from Deputy NRA Administrator William Farnsworth at Washington. Farnsworth is also expected to rule on whether jani-

(Continued on page 6)

Paramount to Hold Criterion Property

Paramount will retain the Criterion and Loew's New York theatre property on Broadway from 44th to 45th Streets, if an application for approval of a plan of the trustees in bankruptcy to preserve title to the property is granted when it comes before Referee Henry K. Davis on Jan. 29.

The property has been up for sale since early last summer without acceptable bids being received. Marked improvement in Paramount's financial condition within recent months is said to have resulted in a decision to retain

(Continued on page 8)

Paramount Advisors To Meet Quarterly

Paramount's national theatre advisory committee of six will meet with Ralph A. Kohn, head of the theatre department, at least once every three months, according to present plans. Duties will include confirmation of national policies and establishment of

(Continued on page 8)

Hays Asserts High Standard Must Prevail

HOLLYWOOD, Jan. 21. — Successful pictures in the future will be those that keep pace with higher, not lower, entertainment demands of the American public, declared Will H. Hays upon his arrival here.

"Many observers of film progress are pointing to the possibility that a vast public may soon be ready for the treasure house of great comedy and drama that lies in a possible Shakespearean cycle on the screen," he declared.

"The success of great historical spectacles and other outstanding costume pictures recently produced is paving the way for a higher class of entertainment produced on a popular basis, but all this should not close our

(Continued on page 6)

Miller Ordered to Face Jurors Again

CHICAGO, Jan. 21.—Federal Judge Barnes has ordered Jack Miller to appear before the Grand Jury to give a complete and true statement of facts concerning deals with the operators' union.

Specifically, he must testify regarding 22 checks dated in 1932 and covering the disbursement of $97,200.

Judge Barnes scored Miller's testimony and instructed that in the future he must adhere strictly to facts instead of conversation. He indicated the court would not tolerate any evasiveness in answers.

Woolf Testifies in His Contract Suit

KANSAS CITY, Jan. 21.—A deposition of Herbert Woolf has been taken in the suit seeking a temporary receivership for the Midland Realty & Investment Co., now pending in the Circuit Court here.

It is possible an official, or officials

(Continued on page 8)

Allied Starts Court Test on Industry Code

Constitutional Question Up in Federal Suit

Allied States launched its attack on the industry code late Saturday with the filing in U. S. District Court here of a bill of complaint attacking sections of the code as unconstitutional and designed to promote monopolies and oppress small enterprises. It asks an injunction restraining the Code Authority from requiring assents to the code without qualifications and, in the event this is denied, asks that the court adjudge sections of the code to be unconstitutional and restrain the Code Authority from enforcing those sections.

The suit was brought in the name of the Congress Theatre, Newark, N. J., owned by Reuben L. Haas, a member of Allied of New Jersey. It names as defendants, Division Administrator Sol A. Rosenblatt; John

(Continued on page 6)

Allied to Discuss Code Cancellations

CHICAGO, Jan. 21. — Cancellation privileges will form the principal topic of discussion at a meeting of Allied directors to be held here Wednesday as a result of a call from Aaron Saperstein.

When the call was issued last week

(Continued on page 6)

Johnson's Plan for Authorities Not Set

WASHINGTON, Jan. 21. — General Hugh S. Johnson's plan to substitute government representatives now on Code Authorities because of the many duties occupying their time is still in the formative stage and will not be worked out for some time.

Fan Dance

Hollywood, Jan. 21.—Latest racket to be unveiled here is that of a bright lad just in from points east, who is now approaching climbing stars with a plan to boost their fan mail. He guarantees letters of praise from any part of the world at five cents per fan.

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(Registered U. S. Patent Office)

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M. B. Golden Passes

LONDON, O., Jan. 21. — M. B. ("Duke") Golden, 72, park manager, who died at Richmond, Va., Tuesday, at one time operated theatre houses in this city, as well as South Charleston and Mechanicsburg, O.

He had been in the amusement business for 35 years, having started his career here. Management of the local opera house was one of his first ventures.

Mrs. Ella Connolly Dead

CINCINNATI, Jan. 21. — Mrs. Ella Connolly, 74, mother of Walter J. Connolly, died at her home here after a week's illness.

Connolly was summoned from the west coast several days ago, and was with his mother when she passed away.

Robert P. Barr Dead

NEW ORLEANS, Jan. 21.—Robert P. Barr, a native of New Orleans and father of Maurice F. Barr, district manager of Saenger Theatres, Inc., died at the age of 76 after an illness of two months. The funeral was largely attended by members of the theatrical colony.

W. F. Barrett Sails

William F. Barrett, president of the AmerAnglo Corp., sailed Saturday on the *Bremen* on his annual trip to England and the continent.

J. H. Seidelman Sails

J. H. Seidelman, general foreign sales manager for Columbia, is on his way to Europe on the *Olympic.*

Insiders' Outlook

WITH 3,000 miles or more broken up into visits with the film fraternity in about a dozen key cities as well as with advocates of the Blue Eagle in Washington behind us, we're back in our old spot on page two today, gazing reminiscently at the caption that heads this department of fact and speculation. At the minute, there is conversation about many matters. For instance:

▼

JOE SCHNITZER, one-time head of RKO, has been airing himself in letters mailed before he left the coast. What about? An entirely new national distributing organization, built along the old FBO lines. . . . Hollywood theme: All having to do with that certain exhibitor who is being trailed by two private detectives who, in turn, are being trailed by two more plain clothes men. . . . There was a time when producers thought kidnapping themes were distasteful. "Miss Fane's Baby Is Stolen" concerns nothing else. . .

▼

Trip of the Skourases—Spyros and George—to Chicago whirled around with a banker discussion and refinancing of Central Theatres Corp., which operates the Ambassador, Missouri and Grand Central in St. Looey, all in the mitts of receivers. They returned here Saturday. . . . Two more Universals are on contract for Music Hall dates. This is part of that switching arrangement between RKO and the Roxy whereby a certain number of Radio pictures play the 7th Avenue house for an exchange of Universals at the 6th Avenue monument. . . .

▼

Code Authority, yet to set its financing plan, probably will go for assessments on film rentals with all theatres, affiliated and otherwise, thrown into the pot to the extent of 50 per cent of the estimated $500,000 annual requirement. All producers and distributors would contribute the other half. . . . Wesley A. Sturges, whose name appears in one of New Haven recommendations for a place on clearance and zoning and grievance boards, is a Yale prof who puts on film shows for his rah-rah boys. . . .

▼

Something's buzzing in Boston. There, a certain group—very active—is making plans about a specific matter and stands a first-rate chance of cracking front pages, if and when the yarn is ready. Also to be startled will be a lot of film folks. It has to do with the code, the industry's ace attraction. . . . Any management change at the Roxy is regarded as at least six months off, despite what you may hear to the contrary. Published stories about those various deals are two months old and were mentioned by Carlos Israels, attorney for the first mortgage bondholders, at a receiver's hearing as ancient as December 12. . . . Who'll get the house is pretty much anyone's guess at the minute. . . .

▼

It would be extremely interesting if, after all that's happened, Harold Franklin and Sam Katz were to end up in a joint enter-

(Continued on page 8)

Warner and Loew Trading Heavy

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	27¼	26⅜	26⅞	+ ⅛	700
Consolidated Film Industries	3¾	3½	3¾	+ ¼	400
Consolidated Film Industries, pfd	13⅜	13⅜	13⅝	+ ⅛	800
Eastman Kodak	86¾	86¼	86¾	+ ¼	400
Fox Film "A"	15¾	15	15	— ¼	6,100
Loew's, Inc	30½	29¼	29⅝	+ ⅜	60,600
Pathe Exchange	2	1⅞	1⅞	.....	1,000
Pathe Exchange "A"	12⅝	12⅜	12⅜	.....	500
RKO	3⅛	2⅞	3	.....	1,600
Universal Pictures, pfd	24	24	24	.....	30
Warner Bros	7⅜	6⅞	7⅛	+ ⅜	18,900
Warner Bros., pfd	23	22	23	+2⅝	400

Only Two Curb Issues Active

	High	Low	Close	Net Change	Sales
Technicolor	9½	9½	9½	+ ⅜	200
Trans Lux	2¾	2¾	2¾	— ⅛	200

Warner Bonds Jump 1¾

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	7¾	7¼	7¼	+ ¼	45
General Theatre Equipment 6s '40 ctf	7½	6¾	6¾	+ ¼	33
Loew's 6s '41 ww deb rights	92	90	92	+3	11
Paramount Broadway 5½s '51	38	37½	38	.....	10
Paramount F. L. 6s '47	39	38	38	—1	12
Paramount Publix 5½s, '50	38	37½	37½	— ½	6
Pathe 7s '37 ww	87	87	87	—1¾	6
Warner Bros. 6s '39 wd	51½	49½	50¾	+1¾	146

Purely Personal

EDGAR A. GUEST'S and FERDE GROFE'S song, "Count Your Blessings," has been adopted as the theme song to be used for the President's Birthday gathering to be held on Jan. 30.

HARRY WILCOXON, young English actor, who will play Marc Anthony in CECIL B. DEMILLE'S "Cleopatra," gets into New York tomorrow aboard the *Majestic* on his way to the coast.

MRS. SIDNEY SAMUELSON has turned interior decorator. She has just completed a set of curtains and drapes for the Allied of New Jersey office.

ROBERT GILLHAM, who returns from the coast tomorrow, will stop over at Kansas City to visit his family before hitting New York.

LARRY WEINER spoke over the transatlantic phone to ex-mayor JAMES J. WALKER the other day.

GEORGE J. SCHAEFER is finally back in town after several unsuccessful attempts to leave Dallas.

JULES LEVY, RKO general sales manager, is back from a tour of southern exchanges.

DOLORES DEL RIO and CEDRIC GIBBONS, her husband, leave for the coast after a 10-day vacation.

SYLVIA SIDNEY will arrive in New York Wednesday for a two weeks' vacation.

FRANK BUCK and his native boy visited 729 7th Ave. the other afternoon.

WILLIAM K. HOWARD, director, arrives tomorrow from the coast on the *Santa Paula.*

EDGAR SELWYN is due in town this week for an indefinite stay.

JOE BRANDT is planning a four month Mediterranean cruise.

DAVID CHATKIN of Monarch Theatres is in from Cleveland.

RUBE JACKTER of Columbia is in Miami on a vacation.

DON CLARKE is ailing.

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61st STREET, (Central Park West)
New York City

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FURNISHED OR UNFURNISHED
By the Year, Month or Day

Serving Pantries
Electric Refrigeration

JOHN W. HEATH, *Manager*

UNIVERSAL NEWSREEL

first again!

Once more the newsreel with Graham McNamee as the Talking Reporter hits the screens of the country FIRST with a big, important news event! . . . . Universal Newsreel No. 212, released in New York January 5, contained the first pictures of the Xmas Eve train crash near Lagny, France, which took a toll of more than 200 lives! . . . Every other reel had the same opportunity as Universal, but Universal hit the screen F I R S T - - - - as usual!









Unit System Gaining with 71 Producers

(Continued from page 1)

nies of mass production, the last of the studios, reluctant in adopting the unit system, now have joined the parade.

While M-G-M was the first to introduce the unit system of production, it remains the largest employer of unit producers today with a total of 16. Universal follows with 13, Paramount 11, Radio 10, Fox nine and Warner-First National six while Columbia and Monogram report three each.

Producer personnel of these studios lists M-G-M with Irving Thalberg, Harry Rapf, Walter Wanger, David O. Selznick, E. J. Mannix, Hunt Stromberg, Albert Lewin, Lucien Hubbard, Lawrence Weingarten, Bernard Hyman, Frank Davis, Lou Edelman, John Considine, Sidney Franklin, Monta Bell and Robert Z. Leonard.

Universal lists Stanley Bergerman, Ken Maynard, B. F. Zeidman, Henry MacRae, Walter Lantz, Warren Doane, Henry Henigson, Dale Van Every, E. M. Asher, Edmund Grainger, Wm. A. McGuire, Julius Bernheim and Tom Reed.

Paramount shows B. P. Schulberg, Charles R. Rogers, Benjamin Glazer, Arthur Hornblow, Jr., Harold Hurley, William LeBaron, Albert Lewis, Louis D. Leighton, Douglas MacLean, E. Lloyd Sheldon and Bayard Veiller.

Radio lists Pandro Berman, Louis Brock, Myles Connolly, Kenneth McGowan, Cliff Reid, Howard J. Green, H. N. Swanson, David Lewis, Wm. Sistrom and Shirley Burden.

Fox lists Sol M. Wurtzel, Jesse L. Lasky, Al Rockett, Erick Charell, B. G. DeSylva, Robert T. Kane, George White and John Stone.

Warner-First National has Hal Wallis, Sam Bischoff, Henry Blanke, Robert Lord, Robert Presnell and James Seymour.

Columbia has Robert North, Irving Briskin and Sid Rogell while Monogram has W. T. Lackaye, Paul Malvern and Ben Verchleiser.

New Sound Invention Will Be Heard Here

New Yorkers will get their first opportunity to hear speech and music in "auditory perspective" at a private demonstration to be given by the American Institute of Electrical Engineers Wednesday night during the winter convention of the institute at its headquarters, 33 West 39th St.

Demonstrations were given a number of months ago in Philadelphia and Washington. Dr. Harvey Fletcher will discuss technical phases of the development.

Gunderman in Buffalo

BUFFALO, Jan. 21.—Don Gunderman, former organist at the Lafayette, who has been doing radio work in New York, has returned to the Lafayette as organ soloist, after a year's absence.

The Lafayette, after a disastrous four-week try with vaudeville, has returned to double features and has dropped stage shows.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Coming Out Party"

(Fox)

HOLLYWOOD, Jan. 21.—Clarifying some new slants on the debutante rackets of the higher brackets, with their false fronts and grafting dowager secretaries, "Coming Out Party" reveals the inside on the artificiality of the society setup, with its flubdub of introducing a debbie to friends she has known all her life.

As a satiric barb leveled at the classes who arrogate divine aristocracy to themselves by virtue of uncontrolled birth, this has appeal to the masses who should go for this angle particularly at this time.

The story is of a debbie, Frances Dee, tired of society's thrall, in love with a violin player, Gene Raymond. Her parents want her to marry a blue blood, Clifford Jones. A Scotch butler, Nigel Bruce, and a Jewish jazz maestro, Harry Green, help the debbie out of her amorous difficulties, as guides, philosophers and friends.

Miss Dee gives emotional impact to her portrait, framing it with beauty and appeal. It's her picture. Green makes his character colorful and comic. Bruce gives a heart warming performance. Gene Raymond is the romantic lead. Alison Skipworth is the dowager promoter. The film has quality technique, with John Blystone's direction on the same plane.

Aimed at women, this picture should please as program evaluation. Jesse L. Lasky produced.

Looking 'Em Over

"16 Fathoms Deep"

(Monogram)

There is a moderate amount of entertainment in "16 Fathoms Deep." The biggest asset of the production is its photography. It is generously sprinkled with sweeping outdoor shots and underwater scenes, some of them well done. One of the most thrilling sequences in the film is one in which Creighton Chaney dives to the bottom of the sea to save a sponge diver from dying when his air line becomes fouled.

The story is simple and easy to follow. George Rogers, the big man of a sponge-fishing center, has his eye on Sally O'Neil, who will have none of him, her heart being set on Chaney. To get Chaney out of the way, Regas lets him have one of his most unseaworthy boats and sets one of his confederates (Maurice Black) on board to see that the lad does not get back with his cargo of sponges in time for the yearly auction.

The rest of the film is devoted primarily to the efforts made by Black to circumvent Chaney. When Chaney discovers Black is the fly in the ointment, he hands him a terrific beating. This is the fellow Chaney dives overboard to save. Which makes Black his friend. Through him Chaney learns of Regas' villainy. The boy comes in with his sponges just before the auction is to close, sells his cargo and again love is triumphant.

Lloyd Ingraham and Russell Simpson are also in the cast. Armand Schaefer directed.

"Gallant Lady," Saturday's opener at the Rivoli, was reviewed from Hollywood by wire on Dec. 6.

"Let's Fall in Love," Friday night's preview at the Rialto, was covered by wire from Hollywood on Jan. 9.

Lovelace Here Feb. 1

Hunter Lovelace will take charge of the New York story department for Fox on Feb. 1, with John Mock, former aide to Julian Johnson, as head of the reading department. William Crawford will be eastern representative for the studio.

M-G-M Signs Swanson

HOLLYWOOD, Jan. 21.—Gloria Swansin has signed a one-picture contract with M-G-M, with options for two more. Scouting for a story has been started.

Laskys Go to Havana

HOLLYWOOD, Jan. 21. — Jesse L. Lasky and his son are on their way to Havana to spend a few days in Cuba before proceeding to Palm Beach. They will start back here by train in time to begin "Springtime for Henry" on Feb. 5.

Cooper Gets Two Houses

LINCOLN, Neb., Jan. 21. — J. E. Cooper of the Lincoln Theatre Corp., has acquired the leases on the Orpheum and Liberty from the Independent Theatres Co., of which G. L. Hooper of Topeka, is president.

Authority Gets 53 More Board Names

Weeded out of the last list of recommendations for the 32 clearance and zoning boards which arrived at the Code Authority on Saturday, the last day for submitting names, were 53 from 17 territories. Many duplications were noted in the original list, but the latest batch increases the total to 835.

A number of units had not been heard from up to Saturday, but due to the fact that suggestions must be postmarked not later than midnight, Jan 20, a barrage of lists is expected at the authority this morning. Units not previously heard from include Allied of New Jersey, the T.O.C.C., and others, which in all probability will have suggestions in today's mail. There is no time limit when the recommendations arrive, as long as they are postmarked before Jan. 21.

Although no action is expected at tomorrow's meeting of the authority all lists on hand will be turned over to the committee in charge of making the selections. Six are on this committee.

Saturday's recommendations follow:

Atlanta—Love B. Harrell.

Charlotte—J. J. Grady, H. H. Everett Albert Sottille, J. F. Kirby, R. J. Ingram M. S. Hill.

Chicago—Jack Miller, John Dittman.

Cincinnati—Floyd D. Morrow.

Dallas—R. J. O'Donnell, Edward Rowley P. K. Johnson.

Des Moines—Leone Matthews.

Detroit—Joe Dennison, Harvey Campbell, Henry Zapp.

Portland, Me.—Howard Duffy, William Freiday, J. T. Howard.

Memphis—Paul Zerilla, T. A. Ballas John Eaton, H. L. Cohen, J. F. Willingham, T. W. Young, W. B. Fulton, W. S Tyson.

Minneapolis—Ben Blotcky, Frank Manske James Donahue, Leo Blank, Everett Dilley William Glasor, Frank Watske, L. Rubenstein, Henry Green, Jack Lorentz.

New Haven, Conn.—Arthur H. Lockwood.

New York—Thomas J. Valentino, Le Abrams, Sam Rinzler, Jack Steinman.

Omaha, Nebr.—W. W. Troxell.

Pittsburgh—Geo. H. Sallows, Carl R Mapel.

St. Louis—W. E. Horsefield.

San Francisco—Miss Claire Foley, R. A McNeil.

Washington—Louis Schneider, J. Louis Rome, Robert Kanter, Phillip Miller.

Issues New Press Sheet

Charles F. Hynes has just turned out a new tabloid form press book for Gaumont British which contains insert material on four of the company's features. The cover is devoted to an announcement of the company's entrance into domestic distribution, a statement on budget increases and direct order methods. Each picture has a single-fold, four-page sheet. Nine of the company's stars are shown, also pictures of the studios.

Del Ruth Moves Out

HOLLYWOOD, Jan. 21.—After serving 10 consecutive years as director for Warner-First National, Roy Del Ruth has removed his personal belongings from that plant to new headquarters at 20th Century.

Nazi Film Is Banned

PORTLAND, Jan. 21.—"S. A. Man Brand," first Nazi film to be shown here, has been put under the ban of the local censor board.

The

superlative praise which

is flooding the newspapers

of the country on

ANNA STEN

has all come

spontaneously from the

hundreds of critics

who have seen

Nana

HER FIRST AMERICAN PICTURE

Allied Starts Court Test on Industry Code

(Continued from page 1)

C. Flinn, executive secretary of the Code Authority, and all members of the authority, including its own Allied board member, Nathan Yamins. Members of the code authority named in the complaint, additionally, are Merlin H. Aylesworth, Sidney R. Kent, George J. Schaefer, Nicholas M. Schenck, Harry M. Warner, Robert H. Cochrane, W. Ray Johnston, Ed Kuykendall and Charles L. O'Reilly.

Abram F. Myers, general counsel and chairman of the board of Allied, is identified in the complaint as being of counsel for the complainant. Norman H. Samuelson, a brother of Sidney Samuelson, head of the New Jersey Allied unit, is attorney for the complainant. An affidavit by Sidney Samuelson accompanies the complaint.

Claim Confiscation

The action alleges that sections of the code, if they require exhibitors to waive all "rights and remedies" at law outside of the code, amount to a confiscation of property for public use without compensation, in violation of the Fifth Amendment to the Constitution, and an invasion of powers reserved to states.

It charges that various processes in the drafting of the code were illegal in that they violated provisions of the N. I. R. A. by not being "representative" of the industry at the time some of the sessions were held. It contends that the interpretation of the President's Executive Order which held that the Code Authority, rather than the Administrator, would be the final court of appeal under the code, is "erroneous and illegal" and "denies independents their rights."

The complaint charges further that the membership of the Code Authority, and the proposed membership ratio of local grievance and clearance and zoning boards, represents an independents' minority which would enable the defendants, under the code, to "promote monopolies and eliminate and oppress small enterprises" and that the code would operate to discriminate against the independents.

W. Ray Johnston Also Named

While Yamins, a resident of Fall River, Mass., and outside of the southern Federal court district of New York, is named as a defendant, the bill recites that Administrator Hugh S. Johnson is not made a party defendant only because "he cannot be found in the Southern District of New York." The complaint also lists W. Ray Johnston, president of Monogram Pictures, with affiliated producer-distributor members of the Code Authority.

Immediately following the filing of the complaint a publicity statement was released to trade and newspapers from the headquarters of Allied of New Jersey. The statement mentioned as defendants by name only the affiliated producer-distributor members of the Code Authority, giving their company affiliations, omitting the names of the defendant exhibitors and those of Rosenblatt and Flinn.

The principal allegation of the complaint is that exhibitors may be required to waive remedies outside the code if they sign the existing code assent forms which ban acceptance of the code with qualifications. The bill recites that the complainant submitted an assent to the code "under protest" and with the qualification that he could withdraw it if he found Code Authority administration costs to be more than he could pay, and with the further reservations that he did not agree to arbitrate controversies before clearance and zoning boards or the Code Authority; that he did not agree to the interpretation of the Executive Order by General Johnson, and that he waived no rights outside of the code.

His assent, the complaint states, was returned to him by Flinn with the standard form of assent prescribed.

The complaint asks a temporary injunction restraining closing of code assents on Jan. 31 and a permanent injunction restraining the Code Authority from requiring signers to use the unqualified assent forms. If these are denied, the bill asks that the code be adjudged contrary to the N.I.R.A. and in violation of the Fifth Amendment and that the Code Authority be enjoined from enforcing it against the complainant. The bill also asks for costs of the action.

Allied to Discuss Code Cancellations

(Continued from page 1)

Allied members were up in arms because some major exchanges here were refusing cancellations on the ground that the code was signed after 1933-34 film contracts had been made and was not applicable to them.

Saperstein wired Abram F. Myers in Washington to get a ruling on the point from Division Administrator Sol A. Rosenblatt. In the meantime Rosenblatt had issued a public statement in which he ruled that the 10 per cent cancellation privilege was retroactive to Dec. 8, regardless of contracts. When he passed through here Saturday on his way to the coast he reiterated his opinion on the Dec. 8 date, not knowing, apparently, that home offices of the major companies had definitely lined up to fight his ruling as illegal.

Rosenblatt was met here by Jack Miller, Edward Silverman, and Emil Stern and was whisked to the Stevens between trains. Ben Berinstein, head of the Southern California independents, joined him on the Chief later, as did Harold S. and Mrs. Bareford.

Allied leaders are steamed up over the cancellation issue, as independents claim the code will give them nothing this year unless the code provisions are carried out.

Portland Fails to Rule on Giveaways

PORTLAND, Jan. 21.—Two-for-one tickets are to be eliminated here as a result of a discussion at the Oregon M. P. Club, but no decision has been reached on giveaways and other forms of "business stimulation," as it is described here.

After discussing code provisions covering these things and the possibilities of appeals and delays it was decided not to act for the present.

New Theatre Union Scale About Ready

(Continued from page 1)

tors and cleaners employed on theatre work by cleaning contractors can be worked more than the 40-hour maximum. Cleaning contractors contend that their rates to theatres are based on contracts which require employes to work more than the 40-hour week and that these existing contracts cannot be disturbed by NRA codes.

The point was raised when the union complained that cleaners employed by American Building Maintenance were worked more than 40 hours per week in Springer & Cocalis theatres. Levey said that Springer & Cocalis was instructed last week by the NRA regional labor board not to call company employe meetings at the same hour at which meetings of the union were held.

Non-Signers to Be Assessed for Code

With nine days left for exhibitors and distributors to send in assents, the Code Authority points out that whether or not an exhibitor signs the form he will be bound by its provisions and will have to pay his portion of the tax to be imposed for financing the authority. Those not signing the assents will have to pay, but will not have the privilege of filing protests to grievance boards.

Approximately 5,000 assents are now card indexed at authority headquarters. While this is less than half of the 13,500 originally sent out, the authority figures that more than 3,000 theatres are open less than six days a week. Many of these houses operate about two days a week and are not expected to send in compliances. This brings the number down to 10,300 possible assents, of which 80 per cent, or 7,500, is expected to be tallied by the end of the month.

All large and small circuits have sent in their forms, it was stated Saturday.

Wholesale Code Up To President Soon

President Roosevelt is scheduled to sign the wholesale code on Thursday, Jan. 25. It will have a direct bearing on the theatre accessory business.

The theatre accessory code recently submitted to the NRA was merged into the wholesale code by government officials. The equipment business is not operating under the President's blanket agreement, and when the wholesale code is signed both retail and wholesale equipment firms will come under this draft.

Louisiana Showmen Hear Ed Kuykendall

NEW ORLEANS, Jan. 21.—Louisiana exhibitors, circuit operators and independent theatre owners meet here today to hear Ed Kuykendall, president of the M.P.T.O.A. and member of Code Authority, explain the code in detail.

Hays Asserts High Standard Must Prevail

(Continued from page 1)

eyes to the continuous progress that must be made socially as well as dramatically in film production.

"Whatever progress is made, it is inevitable that the picture which offends will stand out like an ugly blemish on the general film program and will subject the entire industry to criticism.

"Errors of taste or judgment will be chalked up as such, regardless of the many more errors which are avoided. The task of self education, therefore, remains as great as ever. It is safer to overrate than to underrate public intelligence."

K. C. Choices Vary In Code Selections

KANSAS CITY, Jan. 21.—Nominations to the Code Authority reveal a wide difference of selection among the industry here as to choice of the impartial member to represent the public on the clearance and zoning and grievance boards here.

Five recommendations for the post have been submitted. Judge Merrill E. Otis of the Federal Court and Roy A. Roberts, managing editor of the *Kansas City Star*, were recommended by exhibitor organizations. Individuals have nominated Earl Blackman, minister and social worker; Ray M. Wilson, secretary, civic department, Kansas City Chamber of Commerce, and Tom Finnegan, circulation representative for *Collier's* and Democratic politician.

Authority to Hear Vaude Complainants

With several complaints being registered by vaudeville groups, the Code Authority will appoint a special committee at the meeting tomorrow to investigate for recommendation modifications in the code. The authority meets at the Hotel Astor instead of the Bar Ass'n Bldg., as originally planned.

Code Brochures Out

All distributing companies have sent out specially prepared brochures to sales forces detailing the enforcement of the code. One of the points brought out is that when a decision handed down by the grievance board is not observed by an exhibitor, he will not be serviced until he complies.

See Seating Gains

WASHINGTON, Jan. 21.—Present indications are that business in the public seating industry will improve during the current year, chiefly as result of replacement requirements of theatres, churches and schools, it was disclosed at the hearing on the code for that industry.

To Reopen Some Codes

WASHINGTON, Jan. 21.—That some of the codes against which complaints have been made will be reopened for amendment by Administrator Hugh S. Johnson has been revealed here.

GO ON THE GOLD-HEARTED STANDARD!

. . . with the Biggest Entertainment Value Broadway has ever offered!

. . . for the biggest Cause Humanity can undertake!

ALL STARDOM TURNS UP IN THE CAST!

You Can't Beat These Stars To Stage An Unbeatable Show

To Beat Tuberculosis:

EDDIE CANTOR
GEORGE M. COHAN
JACK PEARL
GEORGE JESSEL
MITZI GREEN
JOE PENNER
BOB HALL
ABE LYMAN AND BAND
MILTON BERLE
ED SULLIVAN
THE ETON BOYS
UNA VILLON
WILL OSBORNE
BEN BLUE
SOPHIE TUCKER
BILLY HOUSE
EMIL BOREO
BLOCK AND SULLY
WILLIE AND EUGENE HOWARD
BUDDY ROGERS
BILL ROBINSON
LYDA ROBERTI
BOB HOPE
CALIFORNIA COLLEGIANS
LILLIAN ROTH
VOICE OF EXPERIENCE

Are Only a Few Who Will Perform at the Monster

MILK and EGG LEAGUE BENEFIT

FOR THE LOS ANGELES SANITORIUM FOR NEW YORK'S TUBERCULAR POOR

NEW AMSTERDAM THEATRE

42nd STREET WEST OF BROADWAY

SUNDAY, JANUARY 28 . . . 8:15 P.M.

Make Your Reservations NOW!

TICKETS ON SALE AT THE NEW YORK STRAND

Or Telephone Circle 7-5900

A Percentage of the Proceeds Go to the Actors Fund of America

Features in Work Increase on Coast

(Continued from page 1)

cutting rooms. In the short subject division, there are 11 working, 18 in preparation and 20 in the cutting rooms.

Fox studios head the list with seven features in work, two preparing and three in the cutting rooms; Paramount follows closely with six working, three preparing and four cutting; Warners-First National shows four, four and eight; Universal, three, one and zero; M-G-M, two, three and 11; Columbia, two, three and five, Century, one, one and two; Radio, zero, three and two, while the independent group shows seven, five and eight.

Short subject group reports M-G-M with three working, three preparing and four cutting; Roach, one, four and four; Universal, one, two and one; Columbia, one, one and one; Radio, zero, two and five; independents, five, six and five.

Louisville's Stage Shows at New High

LOUISVILLE, Jan. 21.—There are more stage shows in Louisville today than at any time in several years. The Walnut has been operating for the past few weeks as the Drury Lane, and is showing road shows. The National has vaudeville, and the Gayety burlesque. The National and Walnut, or Drury Lane, had been closed for a long time.

All of the downtown theatres are operating, and things are looking a bit brighter.

Freuler in Deal for Four More Features

John R. Freuler is in town to complete a deal for four specials to be produced by National Players, Ltd., with budgets of $100,000 each, and to be added to the 10 remaining features on Monarch's 1933-34 list.

Budgets on these 10 may be boosted by 25 per cent, according to Freuler. He expects to return soon to the coast.

After Pickford Dates

BOSTON, Jan. 21.—Following successful engagements both in New York and Chicago, Mary Pickford is being flooded with offers from showmen in various parts of the country for personal appearances. Her latest requests are from exhibitors in Detroit, Buffalo, Seattle, San Francisco, Portland, Spokane, St. Louis and Brooklyn. Detroit will probably be her next booking.

Kinematrade Gets Shorts

B. C. Fassio, representing Shamrock Pictures Corp., and Roman Rebush, for Kinematrade, Inc., have concluded a deal whereby Kinematrade gets world rights, excluding Michigan, for Fassio's "Ye Olde Time Illustrated Songs" and "News from the Dailies." Thirteen single reels of each series have been completed.

"Lady" Opens Big

PHILADELPHIA, Jan. 21.—"Gallant Lady" opened Friday at the Aldine to the tune of $327 greater than the first day of "The Bowery" and also topped initial day of "Life of Henry VIII" by $750, according to U. A.

Paramount to Hold Criterion Property

(Continued from page 1)

the property under the terms of the proposed plan. Under the plan the property would be leased by the Paramount trustees from Seneca Holding Corp., the Paramount subsidiary holding the property, and rents would be assigned to the City Bank-Farmers' Trust Co. to be applied in payment on defaulted bonds and mortgages on the property. Paramount would also pay the past due real estate taxes and penalties on the property.

At the same time, Paramount will make application to Referee Davis for authority to acquire 50 per cent or more of the stock of subsidiaries by expending up to $500,000 to regain controlling interests where they were pledged to secure obligations.

Paramount Advisors To Meet Quarterly

(Continued from page 1)

closer contacts between Paramount theatre operating partners and the home office.

N. L. Nathanson and E. V. Richards, representing Canada and the south, respectively, have already been named to the committee. The remaining four members will be chosen from Chicago, Boston, Dallas and the Iowa-Nebraska territory.

Woolf Testifies in His Contract Suit

(Continued from page 1)

of Loew's, Inc., defendants in the suit, will come here as witnesses, according to attorneys, who originally had planned to obtain depositions in New York.

After several continuances, the case now is set to be heard Jan. 26. Woolf, with M. B. Shanberg and F. H. Reid, seeks a dividend declaration and clarification of contracts.

Depinet, Berman West

Pandro Berman, Radio producer, and Ned E. Depinet, RKO vice-president in charge of distribution, left last night for Hollywood. Berman arrived Saturday from a European vacation of several months.

Dowling, Reisman Sail

Ambrose Dowling, newly appointed foreign representative for RKO, and Phil Reisman, general foreign sales manager, sailed Saturday on the *Conte di Savoia.*

Schenck, Kellys Sail

SOUTHAMPTON, Jan. 21.—Joseph M. Schenck and Arthur W. and Mrs. Kelly sailed yesterday for New York on the *Europa.*

Schlesinger Coastbound

Leon Schlesinger, producer of "Looney Tunes" shorts for Vitaphone, left for the coast yesterday after several weeks here.

Ann Sothern to Para.

HOLLYWOOD, Jan. 21.—Columbia has loaned its newest contract player, Ann Sothern, to Paramount for the lead in "Melody in Spring."

B'way Show-Window

ASTOR—"Queen Christina" (M-G-M)—reviewed Dec. 27.
CAMEO—"Sitting Pretty" (Para.)—reviewed Nov. 14.
CAPITOL — "Eskimo" (M-G-M)—reviewed Nov. 15.
HOLLYWOOD — "Fashions of 1934" (Warners)—reviewed Jan. 6.
MAYFAIR — "16 Fathoms Deep" (Monogram)—reviewed today.
PALACE — "Design for Living" (Para.)—reviewed Oct. 31.
PARAMOUNT—"Miss Fane's Baby Is Stolen" (Para.)—reviewed Dec. 16.
RADIO CITY MUSIC HALL—"I Am Suzanne" (Fox)—reviewed Dec. 30.
RIALTO — "Let's Fall In Love" (Col.)—reviewed Jan. 9.
RIVOLI—"Gallant Lady" (U. A.)—reviewed Dec. 6.
RKO CENTER—"Sitting Pretty"—reviewed Nov. 14.
ROXY — "Cross Country Cruise" (Univ.)—reviewed Jan. 11.
STRAND — "Massacre" (Warners)—reviewed Jan. 18.

Seigel Denies, But Board Has a Letter

Arthur Seigel of Warners, Newark, denies he is associated with Dan Weinberg, formerly of Skouras, in the operation of the Ramsey, Ramsey, N. J.

However, according to the last weekly bulletin issued by the New York Film Board of Trade and now in the hands of all local exchange heads, Seigel wrote the board notifying he had purchased stock in the Ramsey Theatre Corp. and that he would do the booking and buying for the house.

Virginians Line Up Tax Fight Figures

(Continued from page 1)

insist any new tax will be passed directly to the public and declare they are being singled out for heavier taxation than any other form of business. In this connection they are tabulating the seat tax which runs from $150 on 350 seats to $487 for 1,000 seats, and are adding it to state and city taxes to show their payments are more than double those of a merchant doing a $50,000 business.

Stacy Joins Castle

Paul F. Stacy, former head of the N. W. Ayer & Son film department and originator of the Everready hour, has taken charge of publicity for Castle Films.

Kunzman in Town

W. C. Kunzman of National Carbon Co. of Cleveland is in town conferring with Joseph Hornstein, president of Continental Theatre Accessories, a Warner subsidiary.

Blystone in Town

John Blystone, Fox director, is in town shooting local exteriors for his next picture.

Fabian Vacationing

Si Fabian, co-receiver for Fox Metropolitan Playhouses, has gone to Miami for a two weeks' vacation.

"Fantomas" to DuWorld

DuWorld Pictures has acquired the American rights to "Fantomas," directed by Paul Fejos.

Insiders' Outlook

(Continued from page 2)

prise of some kind or other. For, it was Katz's advent into Paramount at the time Publix was formed which influenced Harold to seek other and greener pastures. Franklin has been doing considerable talking to Ben Moss, who once was an extremely important New York City theatre operator himself, about production. Reports around over the week-end tied Franklin in with a plan to take over the RKO Center as a domicile for stage musicals. Just a report.

KANN

Monogram Switches Order of Pictures

HOLLYWOOD, Jan. 21.—In a last minute substitution, Trem Carr has placed "House of Doom," from the stage play by Adam Hull Shirk, next on Monogram's production schedule instead of E. Phillips Oppenheim's "Numbers of Monte Carlo."

"House of Doom" goes into work this week with William Nigh directing.

"City Limits," by Jack Woodward, has been purchased by Monogram, according to Lou Ostrow. It will go into production early in February with Ray Walker in the starring role.

Pittsburgh Variety Club Treks to Cincy

PITTSBURGH, Jan. 21.—More than 50 members of the Variety Club here went by special train to Columbus, O., today for a banquet of the Variety Club there. At the local affair last October, the Ohio club sent on 35 men.

The special train left Pittsburgh early this afternoon, starting back immediately after the banquet was over. Harry Goldstein, president, and John H. Harris, founder, headed the local contingent.

Pushing Theatre Plan

HOLLYWOOD, Jan. 21.—Plans are being considered here seriously for the establishment of a government-subsidized theatre which would aid the film industry by developing writers and players on whom Hollywood could draw. Douglas Wood, stage player, its sponsor, has just arrived here for his first talkie.

Warner-ites Disport

The annual Warner ball, sponsored by the Warner Club, was held in the grand ballroom of the Waldorf-Astoria Saturday night, with some 2,000 guests in attendance.

Many celebrities of the stage, radio and screen were present. Oscar, himself, took personal charge of the affair.

Warners Push Tie-up

Encouraged by the support of exhibitors all over the country, Warners are pushing plans for the company's two-year exclusive tie-up with the manufacturers and distributors of Coca-Cola which was arranged through S. Charles Einfeld.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 35. NO. 19 NEW YORK, TUESDAY, JANUARY 23, 1934 TEN CENTS

Court Objects To Radio City Theatre Pacts

rders Irving Trust to Seek Better Terms

Federal Judge William Bondy yes-rday refused to approve leases on Music Hall and Center theatres gotiated some time ago between ving Trust Co., as receiver for KO, and Rockefeller Center, Inc. ie leases are for the current year d aggregate $973,000 in rentals. so included in the lease is the RKO ce space in Radio City.

Judge Bondy characterized the rents "excessive" and declared that he uld not approve the leases in their sent form. He instructed repre-ntatives of Irving Trust at RKO to pen negotiations with Rockefeller nter for leases providing for modi-l terms and to submit them to the

(*Continued on page 4*)

asky to Stay With Fox, Asserts Kent

It's just a lot of bunk and the al film rumor. Jesse L. Lasky is severing connections with Fox and appy in his association. He wrote so immediately prior to his sailing m Los Angeles for a vacation in ba and Florida."

n making this statement to MOTION TURE DAILY, Sidney R. Kent, sident of Fox, yesterday thus dis-

(*Continued on page 4*)

uart Out of Para. nd May Join F. & M.

Herschel Stuart is about to sever nections with Paramount Publix already has been invited to join & M. He is considering the offer. tuart, former general manager of O, joined Publix a number of ths ago and was dispatched to roit to handle the circuit's opera-there. Shortly thereafter, the re-ers made a management deal with

(*Continued on page 4*)

hapiro-Blumenthal cquire RKO Cameo

ck Shapiro and Lou Blumenthal, recently acquired the Casino, taken over the Cameo from RKO are reported to be dickering for Palace. The Shapiro-Blumenthal es could not be reached yesterday a statement on the policy of the eo under the new management it is believed no change is con-lated.

Government Expected To Contest the Allied Suit

Defense of the Code Authority and the code itself against the Federal court action filed by Allied States is expected to be a government function to be undertaken either by Attorney General Homer S. Cummings or by Donald R. Richberg, head of the NRA legal department, it was learned yesterday.

The Code Authority, it was pointed out, is a government agency; its division administrator is a government officer and the code itself, bearing the signature of the President, is a government document. Their defense againt attacks from any source lies properly with governmental agencies, a spokesman declared.

Some doubt was expressed whether the Federal district court would consent to hear Allied's action, it being pointed out that prescribed methods of obtaining the relief apparently sought by Allied are in existence, and as a matter of proper procedure would probably have to be resorted to before a Federal court would take up

(*Continued on page 3*)

Sub for Sub

For the first time the Code Authority will have a temporary alternate for a permanent alternate at the meeting of the body today at the Astor.

With both Harry M. Warner and his alternate, Harold S. Bareford, in Hollywood, the latter delegated Joseph Bernhard, in charge of theatre operations for the Warner circuit, to substitute for him.

Code Is Held To Govern on Cancellation

WASHINGTON, Jan. 22.—Provisions of the film code itself are believed here to preclude objection to the order issued last week by Division Administrator Sol A. Rosenblatt making the elimination clause effective after Dec. 7 on contracts made prior to that date.

Protests against the "decision" are understood to have been filed with the Recovery Administration.

It is pointed out by Administration officials that Part 1, Section F (Distributors-Exhibitors) provides that the so-called optional standard licensing agreement shall continue to apply except that any provision in conflict or

(*Continued on page 3*)

Partial Code Consents Hit By Kuykendall

COLUMBUS, MISS., Jan. 22.—The assertion recently made by Allied States that exhibitors can express qualified acceptance of the code without forfeiting any of the benefits to be derived under it was challenged in a statement issued by Ed Kuykendall, president of the M.P.T.O.A., today.

"Some half-baked advice is being sent out by a certain Allied 'leader'," he said, "that signing the code is unnecessary; that it should be signed with prepared 'reservations,' etc. Don't be misled by this irresponsible 'advice.' The provisions respecting signatures in the code itself are plain. The code

(*Continued on page 3*)

Grosses in 7 Keys Down Slightly; "Scandals" Top

Grosses in seven key cities fell back to something nearer normal last week after their New Year stimulation, with "Roman Scandals" holding the limelight as the principal draw in Pittsburgh, Montreal and Cleveland.

"Dinner At Eight" stepped out front in Chicago and "Design for Living" was a mild sensation at Minneapolis and St. Paul.

"Roman Scandals" was the big noise in Montreal for a third week, getting $6,500 at the Princess. This raised the total for the three weeks to $25,000. "Dancing Lady" had a

(*Continued on page 4*)

Study Future Of Industry's Two Disputes

NRA Is Believed Upheld; "Little Fellow" Aided

WASHINGTON, Jan. 22.—Industry observers here regard the recent decision of the U. S. Supreme Court in the Minnesota mortgage case and President Roosevelt's week-end order furnishing protection to the "little fellow" with a grievance as having an important bearing on two current controversies—the major producers' objection to extending the 10 per cent cancellation privilege back to Dec. 8 and Allied's suit to test the constitutionality of the NRA on the ground that it robs independent theatre men of their rights and promotes monopoly.

Commentators have been practically unanimous in their opinion that in national emergencies the government can modify contracts between individuals.

The court decision read:

"If state power exists to give temporary relief from the enforcement of contracts in the presence of disasters due to physical causes, such as fire, flood and earthquake, that power can

(*Continued on page 3*)

Authority Adds 61 To Code Board List

Of 61 recommendations from 16 key cities released yesterday by the Code Authority for publicity, 29 were suggested from local groups, including Allied of New Jersey and the T.O.C.C. Conspicuously absent from the list is Louis Nizer, one of the few Film Board of Trade secretaries

(*Continued on page 3*)

Code Group Members Ethics Draw Attack

WASHINGTON, Jan. 22.—Sharp criticism of the practice of certain code committees of permitting members to

(*Continued on page 3*)

His Anniversary

W. Ray Johnston is celebrating his 20th anniversary in the industry.

The event, biggest in the Monogram president's career, is signalized today by a special section which starts on page 5.

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An Apology

MOTION PICTURE DAILY regrets publication of an erroneous page of Universal advertising copy in yesterday's edition. The text concerned the Universal Newsreel advertising the recent French train wreck when the correct copy, appearing on page 23 today, has to do with scenes marking the overthrow of the Grau San Martin government in Cuba and scenes of the naval flight from San Francisco to Hawaii. Universal Newsreel asserts the Cuban scenes were exclusive and the flight scenes first in its Issue No. 216.

Film in "Phonetage"

A new method of synchronization called "phonetage," said by its sponsors to be an improvement over the present method of dubbing, will be introduced in this country when "Girls In Uniform," the English version of "Maedchen In Uniform," opens at the Criterion tomorrow night.

Week's Opening Shows General Slump

	High	Low	Close	Net Change	Sales
Columbia Pictures vtc.	26⅜	25¾	26⅜	— ½	500
Consolidated Film Industries	3⅞	3¾	3¾	.....	400
Consolidated Film Ind. pfd.	14	13¼	13¼	— ⅛	2,400
Eastman Kodak	86¾	86	86¼	— ½	600
Eastman Kodak pfd.	120	120	120	— ¼	2,000
Fox Film "A"	15½	15	15	.....	3,500
Loew's Inc.	29⅞	28⅜	28⅞	— ¾	28,300
M-G-M pfd.	21½	21½	21½	— ½	200
Paramount cts.	3¼	3	3⅛	— ⅛	10,600
Pathe Exchange	2	1⅞	1⅞	.....	600
Pathe Exchange "A"	12½	12	12¼	— ⅛	1,100
RKO	3	2⅞	3	.....	3,000
Warner Bros.	7⅜	6⅞	7⅛	.....	19,800
Warner Bros. pfd.	23½	23	23	.....	200

Technicolor Jumps One on Curb

	High	Low	Close	Net Change	Sales
Technicolor	10½	9⅛	10½	+1	2,200

Loew Bonds Show 1½ Points Loss

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	7⅝	7	7	— ¼	30
General Theatre Equipment 6s '40 ctf.	7	6¾	6¾	.....	7
Keith, B. F., 6s '46	57	56	57	+ ½	7
Loew's 6s '41 ww deb rights	90½	90⅜	90½	—1½	2
Paramount Broadway 5½s '51	38¼	38¼	38¼	+ ¼	3
Paramount F. L. 6s '47	38	37¼	37¼	— ¾	3
Paramount Publix 5½s, '50	39	37½	37½	— ¼	31
Warner Bros. 6s '39 wd.	51½	50½	50½	— ¼	115

Purely Personal

WALTER CONNOLLY, who has just finished work in "It Happened One Night" for Columbia, arrived in town yesterday with MRS. CONNOLLY. She is scheduled to open in a Broadway play soon.

WERNER RICHARD HEYMANN, who wrote the music for "Congress Dances," leaves Wednesday for the coast to do the music for ERIC CHARELL'S first production for Fox.

SADIE FEUERSTEIN, AL LICHTMAN'S secretary, and SAM KAUFMAN, U. A. branch manager in Chicago, have set the date to tie the knot. It's Feb. 18. Place, New York.

HARRY WILCOXON, English actor, who will play opposite Claudette Colbert in "Cleopatra," arrives today on the *Mauretania*.

JOHN BLYSTONE, Fox director, who was in town last week for exterior shots for his next film, has returned to the coast.

TULLIO CARMINATI will be interviewed by RADIE HARRIS Wednesday night at 7:30 over station WOR.

SOPHIE TUCKER left last night for Hollywood, Fla., to open an engagement in a night club there.

EDGAR SELWYN is at the Warwick for a vacation, but will look around for stories while he is here.

JANET GAYNOR is quietly enjoying a vacation in New York and is taking in shows almost nightly.

MILT KUSELL is back from his latest trek in conjunction with the Paramount Victory Drive.

JACK COHN plans to shove off for the coast today but may be delayed until later in the week.

MAY ROBSON is scheduled to make a personal appearance at the Capitol starting Feb. 2.

JOSEPH M. SCHENCK and ARTHUR W. KELLY arrive from England on Thursday.

TAYLOR HOLMES will be the guest of honor at the Cheese Club luncheon today.

W. J. GERMAN is on his way to Florida for a short vacation.

JACK FULD has joined the U. A. exploitation force.

ABE MONTAGUE heads for Chicago shortly.

Wyler Forms Company

Robert Wyler, former Universal director, has organized Wyler Productions, Inc., in conjunction with Murray Garsson and John Wexley, and will produce his own pictures.

Harry Butler Weds

Harry Butler, director and scenarist, is now a benedict. The bride is Ann Bowen of Cleveland and a non-professional.

Principal Buys "Dawn"

Du-World Pictures has sold the New York and Northern New Jersey rights of "Dawn to Dawn" to Principal Film Exchange, Inc.

Slated for Capitol

Lionel Barrymore will make personal appearances at the Capitol starting the week of Feb. 9.

"Hell on Earth" to Open

"Hell On Earth," Aeolian Pictures Corp., release produced abroad, opens at the Acme Theatre Saturday.

"Hi, Nellie"

TWO LITTLE WORDS THAT MEAN A GOLD MINE FROM WARNER BROS.

Spot News from Columbia



JOHN BARRYMORE in "20TH CENTURY" with Carole Lombard. A Howard Hawks production from the Broadway success by Ben Hecht and Charles MacArthur. One of the prize plums of any year!



Almost ready! Frank Borzage's production "NO GREATER GLORY," based on Ferenc Molnar's world famous novel is hailed by Hollywood as the screen's supreme dramatic triumph.



Get ready for Lewis Milestone's production, "RED SQUARE," adapted by Laurence Stallings from a great Russian novel. A tremendously moving kaleidoscope of life and love.

Study Future Of Industry's Two Disputes

(Continued from page 1)

ot be said to be non-existent when ie urgent public need demanding such elief is produced by other and econmic causes."

Newspapers throughout the country id many legal lights here agreed that this decision the court not only ecognized the existence of a national nergency at present, but also gave n indication at the same time of its titude on the whole NRA legislative bric.

President Acts on Complaints

Over the week-end the President ted on complaints that NRA codes ere oppressing small businessmen and nding to promote monopoly. Investiations of these complaints have been oing on for some time, as was incated in a story published in OTION PICTURE DAILY on Jan. 3. In n executive order covering this point, e President rules that complainants ho feel they are not being justly eated by NRA officials can take eir cases to the Federal Trade Comission and to the Department of stice.

"Under such a method, grievances ising out of codes of fair competion or based upon violations of those rtions of the anti-trust laws of the nited States that prohibit monopolis- practices, can be adequately aired d settled by disinterested governent agencies in accordance with the inciples set forth in the recovery gislation," read the President's order. This order happened to come a few urs after the filing of Allied's suit Federal court in New York. It vers many of the points raised in e Allied complaint, it is held by ne here.

aperstein for Full 3-'34 Cancellation

CHICAGO, Jan. 22.—While admitting tt the ruling allowing cancellation, provided in the code on product resed after Dec. 7, is a great help and ves to clarify the situation, Aaron perstein, head of Allied Theatres of inois, declares this ruling does not tirely satisfy him. It is Saperstein's ught, and one which he is prepared battle for, that the code cancellation uld be made retroactive to cover product released on the 1933-34 gram.

Saperstein says local exchanges initely promised exhibitors any efits incorporated in the code when ling the 1933-34 program. At that e, he says, he warned his organiza- not to "just take their word for with the result that some exhibitors e a rider on their contract cover- the code cancellation ruling on ir entire program.

Those who accepted in good faith assurance of distributors that they uld get any benefits incorporated in code are finding their cancellation vileges curtailed by the Rosenblatt ing in which cancellation applies y to pictures released after Dec. 7. e company, he states, has released ally 10 pictures prior to Dec. 7.

Government Expected To Contest the Allied Suit

Code Is Held To Govern on Cancellation

(Continued from page 1)

inconsistent with any provisions of the code "shall be deemed amended to conform with such provision of this code, it being the intention that the provisions of this code shall govern."

Furthermore, it is explained that the very last paragraph of the section provides that "the optional standard license agreement referred to in Part 1 hereof shall be deemed amended by substituting in place of Article 15 of such contract the provisions of this part."

Code Group Members Ethics Draw Attack

(Continued from page 1)

participate in deliberations involving companies with which they are connected was today voiced here following the receipt of complaints.

Charges that at certain hearings members of committees connected with companies against which complaints were being considered for violations of the code have participated in the decisions have led to the issuance of instructions that while such members may, with propriety, make statements in regard to the facts, they should absent themselves when the vote is to be taken, or at least refrain from participating in the decision.

As a result of the complaints, it is anticipated that general instructions will be issued to committee members on all codes in order that their deliberations may be above reproach.

Feist Heading West

Felix F. Feist, general sales manager of M-G-M, is en route to the coast and is making a number of stopovers before reaching Hollywood. He arrived yesterday at Atlanta where he met Alan Cummings, manager of exchange maintenance and operation. From there Feist and Cummings will travel together as far as Los Angeles where the former will head for the studios and the latter continue his tour north.

Feist will be gone six weeks.

Rodgers Returns

W. R. Rodgers, eastern sales manager for M-G-M, is back from a vacation in Hollywood, Fla., and E. M. Saunders, western sales manager, leaves the end of the week for a brief rest.

Schenck to Coast

Nicholas M. Schenck plans to leave for the coast shortly. Due to his recent illness, he has not definitely set his date for departure for an annual production pow-wow.

(Continued from page 1)

a complaint of the kind filed by Allied.

Allied's complaint against unqualified assents to the code, it was said, involves a code requirement which provides that the code must be duly executed "in its entirety" in order that signers may share in its benefits. This provision, it was pointed out, can be changed only by the President after a public hearing and on the recommendation of the Administrator.

Authority Adds 61 To Code Board List

(Continued from page 1)

omitted in the national check-up. Sidney E. Samuelson, president of the New Jersey Allied unit, and several officers of that organization are represented.

Although the final day for sending in suggestions was midnight last Saturday, several more lists from far west points are expected to dribble in today and tomorrow. The 896 names so far submitted will be presented to the authority at today's session at the Astor. No action on them is expected to be taken.

Yesterday's batch of recommendations follows:

Albany—Tony Ryan, Victor Bunz.
Buffalo—Milton Guggenheimer, Henry Seilheimer, Emma Abplanalp.
Boston—A. D. Rudenstein, Francis Lydon.
Dallas—M. Laura Roberts, G. A. Luchesse, Raymond Willie.
Des Moines—Lester F. Martin, N. C. Rice.
Detroit—E. S. Kinney.
Indianapolis—Monty Solomon.
Kansas City—June Medcalf.
New York City—Robert Wolff, Arthur Mayer, David Loew, William Scully, Edward Schnitzer, C. C. Moskowitz, Walter Reade, Harry Arthur, J. Louis Geller, William A. Landau, Lee A. Ochs, Edward Rugoff, George Skouras, Charles Steiner, Harmon Yaffa, F. Thomas Murray, Arthur Abeles, Sidney E. Samuelson, Lee Newbury, David Snaper, Reuben L. Haas, I. A. Roth, Harry K. Hecht, Fred W. Falkner, Julius Charnow, Miss Lillian Silver, Charles Moses, Irving Dollinger.
Omaha—A. W. Person.
Pittsburgh—Harry Goldstein, Robert F. Klingensmith.
Philadelphia—Earl W. Sweigert, William Heenan.
San Francisco—Charles A. Caballero.
St. Louis—M. Schweitzer, Ben Cammack, Joseph Garrison, C. T. Lynch, Lou Elman, C. D. Hill, Miss Lila B. Schofield.
Seattle—John Danz, Ed Lamb, George Endert.
Washington, D. C.—Jerome Cohan, Herman Hable.

Arbitrate Wage Row

ST. LOUIS, Jan. 22.—The local operators' wage dispute is to go before Oscar Kleintops, business agent of the operators' union, and Fred Wehrenberg, head of the M.P.T.O. If they are unable to agree, Division Administrator Sol A. Rosenblatt will appoint a third man as arbiter.

Rosenblatt on Coast

LOS ANGELES, Jan. 22.—Division Administrator Sol A. Rosenblatt and Harold S. Bareford, alternate for Harry M. Warner on Code Authority, accompanied by their respective wives arrived here tonight from the East.

Partial Code Consents Hit By Kuykendall

(Continued from page 1)

Authority, by approving an official form for signature, has in effect ruled that a qualified assent is invalid, and exhibitors are on notice that such is the case.

"There is no obligation on the Code Authority to reject a qualified assent. But if you have not signed the code in its entirety, relying on such irresponsible advice, at some later date you may have a complaint to bring before a local board or the Code Authority and find you are disqualified to appear before them. Unfortunately, you cannot hold such irresponsible advisers financially responsible for misleading you into such a false position.

"The Allied prepared reservations make a futile attempt to (1) withhold assent to parts of the NRA code relating to unreasonable clearance and at the same time give qualified assent to other parts, (2) tie the hands of President Roosevelt in administering the code, (3) reverse and amend the act of Congress creating the NRA and (4) at the same time agree to comply with all of the act. The only thing actually accomplished is to mislead exhibitors to their own detriment and record a little chiseling at the very beginning."

Business Picking Up Widely, Levy States

NEW ORLEANS, Jan. 22.—The south is not the only section experiencing a revival of business. Theatres throughout the nation are showing improvement, according to Jules Levy, general sales manager for RKO.

Levy bases his observations on a recent tour of all the RKO exchanges.

"I find business conditions generally much better than they have been and theatres of the nation playing to an encouragingly large patronage," Levy declared. "People in New York are hopeful that the present improvement will continue. All the film companies, particularly my own, RKO, are turning out consistently better pictures now than two years ago, and this in itself is contributing to the return of normalcy.

"The picture industry will benefit by the code in the long run, although it is taking considerable time to set the Code Authority and its machinery into motion," he said.

Musicians May Take Dispute to Wagner

Members of the musicians' union who have tried unsuccessfuly to get Mrs. Elinore M. Herrick, acting chairman of the Regional Labor Board, to take up their complaints that they have been forced to pay "kick backs" on salaries for temporary positions are reported to be planning to take their complaints to Senator Wagner, head of the National Labor Board.

Mrs. Herrick claimed she had no jurisdiction.

Court Objects To Radio City Theatre Pacts

(*Continued from page* 1)

court again only in the event more favorable leases result. No time limit was set by the court for the conclusion of new lease negotiations.

Leading the opposition to the Radio City leases yesterday as at earlier court sessions, was Walter Reade, operator of the Mayfair and a large RKO creditor on the basis of rent claims against the company arising out of repudiated leases. RKO, being in receivership, is under the jurisdiction of the Federal court, the approval of which must be had for expenditures by the receiver.

Payment by Irving Trust Authorized

Irving Trust Co., as trustee in bankruptcy for Publix Enterprises, was authorized by Referee Henry K. Davis yesterday to pay $76,171 to Paramount Publix trustees for services rendered by various real estate, accounting and auditing staffs of Paramount working on Publix bankruptcy affairs during the past year.

Irving Trust was also authorized by Referee Davis to pay $15,000 to Dan Michalove for services rendered the bankrupt on theatre affairs during the year. This payment is in addition to $7,950 which Michalove received earlier.

Referee Davis yesterday also issued orders authorizing Irving Trust to turn over to Famous Theatres Corp. various Publix Enterprises documents in line with the recent purchase of Publix Enterprises' assets by Famous. A claim for $5,166 filed against the bankrupt by Abraham Goodside, a merchandise creditor, was expunged by the referee and all equipment of the Olympia, Miami, was released from a mortgage of Paramount Enterprises, Inc., subsidiary operating the theatre.

Paul Wilson Quits Para. Memphis Job

MEMPHIS, Jan. 22.—Paul Wilson has resigned as manager of the Paramount exchange and W. F. (Bill) Bugie has been named to take his place.

Wilson gave no reason for his resignation and said he had not made any plans for the future. It is understood, however, that he was dissatisfied with Paramount's consideration of his application for promotion.

Promotion of Bugie from sales manager to exchange head is effective immediately. Grover Ray moves up to sales head, and is replaced as booker by Gary Hammond, formerly Ray's assistant booker. Cooper Litton is the new assistant booker.

Collier In; Yorke West

Robert Collier, head of the F. & M. radio department, arrived from Los Angeles yesterday for a protracted visit. When he changed trains at Chicago, he met Gabe Yorke, who was heading for the Fox studios.

Grosses in 7 Keys Down Slightly; "Scandals" Top

(*Continued from page* 1)

big $12,000 at the Capitol in spite of wintry weather, and "Only Yesterday" took $11,000 at the Palace. "Should Ladies Behave?" was good for $10,500 at Loew's.

Oklahoma City fell off last week, with "Flying Down to Rio" the only attraction doing good business. It topped par by $1,500 at $6,500 in the Criterion. "The Big Shakedown," "I Was a Spy," "Massacre" and "The World Changes" were all weak.

"Scandals" Good in Cleveland

Cleveland gave "Roman Scandals" a good $11,000 at Loew's State, but business elsewhere was nothing to get excited about. "As Husbands Go," with a stage show, "Artists and Models," took a par $18,000. "Blood Money," "Let's Fall in Love" and "I Was a Spy" were below normal. A dual bill, "His Double Life" and "Smoky" took a good $4,000 at the Stillman.

"Design for Living" skimmed the cream off the business in Minneapolis and St. Paul with a gross for the two cities of $16,000. Minneapolis furnished $9,000 of this. "The Kennel Murder Case," "If I Were Free" and "Waltz Time" were all better than average draws in Minneapolis. "Counsellor at Law" was strong in St. Paul with $4,500 at the RKO Orpheum. "Blood Money" and "Cradle Song" were a little better than average. "I Am Suzanne," "Should Ladies Behave?" and "I Was a Spy" were just fair.

Pittsburgh had three hits last week—"Roman Scandals," "Berkeley Square" and a combination of "I Was a Spy" and a condensed version of "Shuffle Along." "Scandals" was up by $4,000 on a $16,000 gross at the Penn, and "Berkeley Square" topped par by $5,200, with a $9,200 take at the Fulton. The gross on the "I Was a Spy" and "Shuffle Along" program at the Pitt was $9,000, up by $3,000. "Queen Christina" got off to a slow $5,000 start on its roadshow engagement at the Nixon, but was held over.

Total first run grosses fell off to $38,300 in Providence last week, under normal by $2,200. The only strong draw was "Fugitive Lovers," helped by a vaudeville bill at Loew's State. The take was $12,500. "Convention City" and "Solitaire Man" took an average $7,000 at the Majestic, and "The Big Shakedown," with a stage show, was even at $7,000 in Fay's. "White Woman" and "The Girl Without a Room" reached $6,800 at the Paramount, but another dual "Horseplay" and "Criminal At Large," had an extremely weak $3,800 at the RKO Albee.

"Dinner" Leads in Chicago

"Dinner At Eight" was the outstanding attraction in Chicago. It piled up $27,000 at the Oriental. This tops average $4,000. The Chicago fell off to $40,000 after its big $53,000 week with Mary Pickford, but even so the gross was strong, with "Going Hollywood" on the screen and Will Mahoney heading the stage show. "If I Were Free" was just average, with the Cotton Club revue, at the Palace. "Roman Scandals" took $8,000 in its fourth week at United Artists.

Grosses at the Capitol and the Roxy, New York, were almost on a par last week. "Fugitive Lovers" and a stage show at the former took $32,876, while "I Was a Spy" and a show at the latter garnered $30,500. "Disraeli" at the Hollywood grossed $4,200, and "Easy to Love" at the Strand was good for $9,271.

Paramount Theatre Men in New Orleans

Following a meeting here with the southern partners of Paramount Theatre Service Corp., Y. F. Freeman and Sam Dembow, Jr., vice-presidents, and P. A. Raibourn, assistant treasurer, left for New Orleans and will return to New York from there tomorrow. Ralph Kohn, president of the newly formed company, arrived on the coast yesterday from Dallas and will probably return with Adolph Zukor within the next week or so.

Freeman, Dembow and Raibourn arrived at New Orleans yesterday for conferences with E. V. Richards.

Stuart Out of Para. And May Join F. & M.

(*Continued from page* 1)

George W. Trendle, this resulting in returning Stuart to New York, where he has been waiting, time on his hands, for an assignment. Ralph Kohn asked him to take a leave of absence to May 1 and urged that he spend the time looking for a new connection. Stuart, therefore, is.

Mexican Advocates Bar on U. S. Films

MEXICO CITY, Jan. 22.—A consolidation of Mexican production, distribution and exhibition interests under a central board of directors to "protect" the home industry against foreign producers who see an opportunity to make pictures in Mexico at lower cost than elsewhere, was advocated here by Jose U. Calderon, an exhibitor and official of the Mexican Exhibitors' Union.

"Outside producers," he declared, "are preparing an invasion to convert us into tributaries of the cinema magnates of the U. S. unless our borders are hermetically sealed. Mexico should have her own cinema industry. If other countries want our pictures, let them have them made by Mexican producers; but they should not be permitted to send more expeditions to establish studios or laboratories in our country."

Efforts to obtain comment here yesterday on Calderon's views were unsuccessful. No one could be found who knew anything about the speaker or the subjects be referred to.

Warner Ball Still Talk of the Town

The Warner Club's annual banquet and ball at the Waldorf-Astoria Saturday night was the sole subject of talk yesterday at lunch at the club's restaurant at the Warner home office.

Many notables in the entertainment world were among the more than 1,500 guests present. Of their number were:

ALBERT L. WARNER, MR. and MRS. JOSEPH BLOCK, MR. and MRS. HARRY CHARNAS, MR. and MRS. JACK GOLDSTONE, A. J. LEVY, MR. and MRS. MOE ROSENBERG, HERBERT SONDHEIM, MR. and MRS. LLOYD WEIL, STANLEIGH FRIEDMAN, ABEL CAR, THOMAS, S. CHARLES EINFELD, MA EINFELD, GWEN HELLER, MR. an MRS. SAM MORRIS, AL SCHWALBER HAROLD RODNER, LEE STEWART, ES TELLE SCHROT, WILLIAM MACLAUGHLIN, JACK NICKOLSON, MR. and MRS SOL K. WEINER, RUTH WEISBER MILTON POLLOCK, GERTRUDE MARION MARTHA KAPLAN, SIDNEY RECHET NIK, ARNOLD ALBERT, IRVING WIN DISCH, JULES GIRDEN, ARTHUR JEF FREY, STEVE TRILLING and JULE LEVEY.

Guests from out of town included MR. and MRS. JAMES A. BRACKEN MR. and MRS. NAT FURST, BENJAMI HOFFMAN, MR. and MRS. DANIE FINN, MR. and MRS. DON JACOCKS JAMES FLAHERTY, BENJAMIN COHEN HARRY KALMINE and MR. and MRS JOSEPH LESSE.

Cab Calloway, N.T.G. and Pa Rooney were among those who sup plied entertainment.

Major Warner had a good tim just watching the Warner folk havin a good time, and Schwalberg an Rodner, who supervised arrangement for the affair, saw to it that they di Levey had a job keeping his flowe from jumping out of his lapel whil vibrating to the "hotcha" tunes of th Cab Calloway boys. Stewart, who i Vitaphone casting director, had a eye out all evening for screen poss bilities of the entertainers. Rechetni took upon himself the job of introduc ing to the crowd people who neede no introduction. Girden got himself i the spotlight when a group of N.T.G cuties pulled him from his seat ont the dance floor.

And so it went.

Lasky to Stay with Fox, Asserts Ken

(*Continued from page* 1)

missed published reports regardin Lasky. Among them, most persisten was the rumor he would join Radi as a unit producer. Lasky has tw more years to go on his Fox contrac

HOLLYWOOD, Jan. 22.—Radio wi not negotiate with Jesse L. Lasky un til current contracts expire, declare B. B. Kahane today in answer to re ports tying the producer in with RKO Kahane said his company "would b glad" to talk a deal whenever Lask became a free agent.

U. A. on Seven Floors

With U. A. taking space on th sixth floor at 729 7th Ave., for th foreign department, the company's of fices are now spread over the second sixth, eighth, 12th, 13th, 14th and 15t floors.



W RAY JOHNSTON

UP *and smiling after twenty years as an independent independent, W. Ray Johnston, as head of Monogram, today finds himself hurrying, with speed, toward the top.*

Back break and heart break have marked those two decades. It's been a case of beer and skittles. But today, more important than he has ever been before in the trade, Johnston has the right—earned—to look down the road and envision an even greater activity to come.

KANN



Baby, actor and matinee idol—they're all W. Ray Johnston, believe it or not.

From Iowa to Code Authority

By SHERWIN A. KANE

THE destinies of Jayhawkers appear to be written in the age at which they leave Iowa to enter the world. If they remain on the native heath too long to be of use to the world, chances are three, two and even that they will wind up their days in Southern California putting in a punctual appearance at the annual Iowa Day picnic at Pasadena or "San Berdoo" and, betwixt picnics, clucking their tongues at tales of Hollywood abandon.

If, however, they clear out early, likely as not they become useful citizens in the eastern capitals of commerce and finance and have articles written about them in the *Waterloo, (Ia.), Reporter,* headed "Local Boy Makes Good In Big City." Such was the experience of W. Ray Johnston, president of Monogram, who left Waterloo, at 22 and is now observing his 20th eventful year in the industry. Business associates of his shudder even to this day when they contemplate what might have been his fate had Johnston remained in Iowa even one year more than he did.

Toward the close of 1891, the little town of Bristow looked over the record and, finding itself to be at something of a disadvantage in the matter of contributing prominent citizens to the world of affairs, resolved to remedy the matter during the New Year. Accordingly, on January 2, 1892, Johnston was ushered into the world and, three short years later, gave the first evidence of the gifts of wisdom and discernment which were to mark his advances later in life by quitting Bristow in favor of Janesville, Ia., where he remained to graduate, *cum laude,* from the local high school at the age of sixteen.

Another early manifestation of his wisdom was his choice, after graduating from high school, of the Waterloo College of Commerce at Waterloo, for further schooling. Why any native Iowan should choose a commercial college for purposes of education when everyone knew right well that such learning was about as essential to realizing Iowa's finest rewards to be gained from corn and hog raising as a set of pearl buttons would be to a fan dancer, was a matter for no little wonder to the folks back in Janesville. They wagged their heads skeptically, back in the home town, and probably thought the Johnston boy a little "peculiar" and likely to come to no good.

But the Johnston boy didn't mind. He stuck to his minority guns—and his text books—like a good independent, and when the president of the Waterloo College of Commerce was called upon for a letter of recommendation some years later, he wrote that Ray Johnston was the most "conscientious" student ever enrolled at the school and predicted fine things for his future.

His business career began concurrently with his Waterloo commerce schooling. Outside of class hours he worked in the mailing department of the *Daily Reporter,* and on the completion of his course became assistant to the circulation manager, a Paul Swift who is now in the employ of Warners.

After a brief fling in the world of journalism, Johnston was offered, and accepted, the post of secretary to the manager of the Citizens' Gas & Electric Co. of Waterloo, and several years later became secretary to a prominent local banker whose interests served to bring Johnston to the secretaryship of the Vaughan Land Co., the Western Realty and Investment Co. and the Iowa Mausoleum Co., all of Waterloo. In the latter company, at 19, he was placed in charge of a small army of 35 mausoleum salesmen and a construction crew of several hundred men engaged in filling the orders turned in by their brothers for community mausoleums throughout Iowa, Nebraska, Kansas and Minnesota.

»

Several lessons to prove of value to the enterprising Johnston evolved from this experience. The first, and perhaps most important, lesson was that mausoleum customers, regardless of how well satisfied they may be, never send in a repeat order. Hence, an obvious conclusion was that it was far better business to engage in production and sale of a commodity that is pleasing to the brethren of the mausoleum buyers who remain behind them and are apt to call for successive servings after the first. The second lesson gave him an impression of the ultimate fate which awaits Iowans who cling too long to the native heath and so, when a business acquaintance, one Wilbert Shallenberger, an executive of the Thanhouser, Mutual, Majestic, New York Motion and Keystone Film companies, remarked to Johnston one day that the position of confidential secretary to one of his business associates was open, Johnston bent the opportunity to his purpose and, early in 1914, departed for New York to embark on his film industry career as the aide of Charles J. Hite.

It required only a few months for Johnston to master trade language and learn how much magic there was about the magic lantern. At the end of his first two months he was treasurer of Syndicate Film Co., which was organized to distribute "The Million Dollar Mystery," the first of the notable serial pictures and one of the most successful of them all. It represented a negative cost of $70,000 and grossed $1,600,000, according to the aging records.

»

This baptism in film finance is held by his friends to account for Johnston's idea of introducing to picture customers the famous Oklahoma bandit, Al Jennings, a one-time candidate for governor of that state. Jennings was featured in the "thriller," "Beating Back," the success of which aided Johnston's uninterrupted march onward and upward in film circles.

Hite's interests extended beyond production into exhibition, and Johnston's knowledge of the industry was rounded out as a result of this when he was assigned by Hite to supervise the operation of two New Rochelle, N. Y., houses which had been dipping into the red ink well too long and too frequently. He looked over the situation, discovered that overhead was too high for the calibre of features being served the houses, that the public was "shopping for its entertainment"—even in 1915—and no longer going to the theatre just to see "a movie." He made the necessary adjustments and returned to headquarters with the two theatres showing a profit.

Anxious to learn all ends of the business, Johnston, thereafter, went on the payroll of the Thanhouser company as an actor for six months. He succeeded, during this interlude, in getting the actor's "slant" on production. However, his advent on the stages did not disturb any of the reigning stars of the day, that is, not after they had seen the "rushes" on his first effort.

A few months later he was made manager of the newly opened Thanhouser studio at Jacksonville, Fl
Unsullied by a Hollywood influenc
Johnston returned to New York i
the summer of 1916, still equipped t
be of even greater use to the indus
try. He became assistant treasurer c
Thanhouser and, later, president
Big Productions Film Corp. In 191
he joined W. E. Shallenberger, wh
in the meantime, had organized A
row Film and remained with this com
pany for seven years, eventually be
coming its vice-president and genera
sales manager.

In January, 1924, Johnston organ
ized Rayart Pictures and, through i
succeeded in turning a $10,000 stoc
investment into a business gross
$1,250,000 by the time talking pi
tures arrived in 1927. As major com
panies experimented or wondered, a
the case may be, with the new pro
duction and exhibition factor intro
duced by sound, Johnston perceive
an opportunity to be exercised du
ing the period in which both studi
and theatres equipped themselves fo
sound. His idea was to produce an a
nual schedule of 24 silent "western
to service the thousands of exhibito
who would have a need for this ty
of product while major companie
were marking time, learning th
technique of sound and acquirin
equipment.

To better serve his purpose, he a
lied himself with Trem Carr, a Cal
fornia producer, who was to ha
charge of production while Johnsto
retained business administration fun
tions in New York. Carr was a
active young producer on the Holl
wood scene since 1922. Like Joh
ston, he hailed from a small mi
western town—Trenton, Ill., and w
educated at the state university. H
became vice president of Rayart.

The venture was a success an
when sound finally assumed its rig
place in the industry, Johnston a
Rayart were prepared for the ne
order. In 1931, he called in the di
tributors of his product, who were i
dependent exchangemen througho
the country, and formed a cooperati
organization known as Monogra
Pictures, patterned after the stru
ture of the old First National organ
zation. His production and distrib
tion organization were merged c
operatively to make and sell a tal
ing picture program of 28 feature
Franchise holders were named in th
new organization, each paying a p
rata share of the cost of each pi

(*Continued on page 22*)



To our President, W. RAY JOHNSTON

IT has been our pleasure to be associated with you in the motion picture business for a good many years.

This year marks your twentieth anniversary in the industry. A few of us have had the privilege of working with you during the entire twenty years. Many of us have worked with you for ten years or more. We felt honored to be identified with you then; we feel honored to be identified with you now.

Mr. Johnston, you are now embarked on one of the biggest enterprises of your career—the direction of the activities of Monogram Pictures Corporation. We take this opportunity to thank you for your inspiring leadership. We wish also to pay tribute to Trem Carr, vice president in charge of production, and his executive staff, headed by Lou Ostrow, for the steady improvement in the quality of Monogram Pictures.

Mr. Johnston, we appreciate the way you have given so generously and unsparingly of your time, thought and effort to make the Monogram Company the leading independent company and a dominant factor in the motion picture sun. To show what this means to us, we are doing everything in our power to make the Monogram Company all that you hope it to be.

In a word, Mr. Johnston, we are with you to a man.

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MINNEAPOLIS
MONTREAL
NEW ORLEANS
NEW YORK
NEW HAVEN
OKLAHOMA CITY
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PHILADELPHIA
PITTSBURGH
PORTLAND
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There'll Be No Line 4 Blocks Long

Brit

LIONEL ATWILL

WILL ENTERTAIN AUDIENCES EVERYWHERE

IN

BEGGARS

They Saw LIONEL ATWILL

IN

"DOCTOR X"

"THE SPHINX"

"MYSTERY OF THE WAX MUSEUM"

"THE MYSTERY OF THE BLUE ROOM"

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"HE COULDN'T TAKE IT"

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"WOMAN'S MAN"
"BEGGARS IN ERMINE"
"MYSTERY LINER"
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Associate Producer



I. E. CHADWICK
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SID ROGELL
Associate Producer



JIM BALSLEY
Sound Engineer



PAUL MALVERN
Associate Producer



JOE PHILLIPS
Sound Engineer



TRISTRAM TUPPER
Chief, Scenario Dept.



J. P. McCARTHY
Director



ERNEST HICKSON
Technical Director



HARRY FRAZER
Director



PHIL ROSEN
Director



FRED STEELE
Comptroller—West Coast



WELLYN TOTMAN
Author



LINDSLEY PARSON
West Coast Publicity



HARRY O. JONES
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Leader
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EDGAR WALLACE'S

"MYSTERY LINER"

WITH

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Edgar Wallace's name is synonymous with the best in mystery fiction. And "Mystery Liner" is one of the most exciting stories he ever wrote.

Here's a crime that would take the combined cleverness of Sherlock Holmes, Craig Kennedy and Philo Vance to solve. And it's something new in thrillers. Murder on a mysterious ocean liner filled with strange people and operated by an unseen hand through radio control. It's a sensation!

MONOGRAM PICTURES

Supervised by PAUL MALVERN
Directed by WILLIAM NIGH
Adapted by WELLYN TOTMAN

From EDGAR WALLACE'S SATURDAY EVENING POST *story "The Ghost of John Hollin*

Monogram Has 8 More to Go

HOLLYWOOD, Jan. 22.—Monogram has eight pictures to go. The keynote of them will be exitation and the plan is to have three arters of the entire program comted by the time the company's irth annual convention is held in arch.

"The finest production in the world uld be a flop if it had nothing by ich the exhibitor could sell it to public. We intend to make this r first consideration in producing onogram features today," said Trem rr, vice-president in charge of proction.

"Every writer is instructed to conder the box-office in the preparation his script. We are making pictures the entertainment of the public, d there is no more highly diversified competitive market in the world n the amusement field. For this ason entertainment must be sold to public, and that brings us to exly the thing that we intend every onogram picture to have—exploitan possibilities—the means by which pictures can be sold.

"Cast, production, direction and ry must all be there, but first of all ist be exploitation."

The picture in production is "The udspeaker," with Joseph Santley diting and Ray Walker in the starg role. Walker was signed to star Monogram productions at the inotion of the new program. This s the company's first move to deop its own starring personalities d the success of the experiment was ently evidenced in the renewal of Walker's contract for three more pictures.

The three productions awaiting the starting gun are "Jane Eyre," Adele Comandini's adaptation of the Charlotte Bronte classic, to be produced by the Ben Verschleiser unit; "Numbers of Monte Carlo," the E. Phillips Oppenheim novel, to be directed by William Nigh for the Paul Malvern unit, and "Manhattan Love Song," to be directed by Leonard Fields from the adaptation of the Cornell Woolrich novel by Fields and David Silverstein. W. T. Lackey heads the unit producing "The Loudspeaker."

To date Monogram has completed 10 of its announced program of 20 features, while its western subsidiary, Lone Star Prod., headed by Paul Malvern, has completed four of eight John Wayne westerns.

Among the features completed so far, are "A Woman's Man," featuring John Halliday, Wallace Ford, Kitty Kelly, and Marguerite de la Motte, which was directed by Edward Ludwig from the Adela Rogers St. John story; "Mystery Liner" with Noah Beery, Astrid Allyn, Gustav von Seyffertitz, Edwin Maxwell and Cornelius Keefe, directed by William Nigh from Wellyn Totman's adaptation of the Edgar Wallace novel, and "He Couldn't Take It," directed by William Nigh, and featuring Ray Walker, Virginia Cherrill, George E. Stone, Stanley Fields and Dorothy Granger.

Robert Vignola directed "Broken Dreams" with Randolph Scott, Martha Sleeper, Joseph Cawthorn and Buster Phelps, which Monogram considers one of its best. The biggest hit to date, however, was "The Sweetheart of Sigma Chi," with Buster Crabbe, Mary Carlisle, Charles Starrett, Florence Lake, Sally Starr, Eddie Tamblyn and Ted Fio Rito's orchestra. Edwin L. Marin directed, with W. T. Lackey supervising, according to the company.



TREM CARR

Charles Vidor was the director of "Sensation Hunters" featuring Arline Judge, Marion Burns, Preston Foster and Kenneth McKenna, with Robert Welsh supervising. "Sixteen Fathoms Deep," featuring Creighton Chaney and Sally O'Neil, was directed by Armand Schaefer for the Malvern unit, from the novel by Eustace L. Adams.

"Beggars in Ermine" was adapted by Tristram Tupper from the story by Esther Lynd Day. It was Lionel Atwill's second starring production for Monogram and featured H. B. Walthall, Betty Furness, Jameson Thomas and James Bush. Phil Rosen directed with W. T. Lackey supervising.

First on the new program was "The Avenger" starring Ralph Forbes and Adrienne Ames. It was directed by Edwin Marin from the novel by John Goodwin. Tristram Tupper and Brown Holmes adapted the story.

Another recent Monogram was "Devil's Mate" with Peggy Shannon, Preston Foster and Ray Walker, supervised by Verschleiser and directed by Phil Rosen from the story by Leonard Fields and David Silverstein.

Present personnel of the production staff, headed by Carr includes Lou Ostrow, executive producer; W. T. Lackey, Ben Verschleiser and Paul Malvern, supervisors; Tristram Tupper, Leonard Fields, David Silverstein, Adele Comandini, and Norman Houston, scenarists; E. R. Hickson, technical director; Fred Steele, auditor, and Lindsley Parsons, studio publicity director.

Releasing through Monogram exchanges are Lone Star Prod., which to date has completed "Riders of Destiny," "Sagebrush Trail," "The Lucky Texan" and "West of the Divide." Directors on the series have been R. N. Bradbury and Armand Schaefer.

The Inside

Pertinent and personal data on W. Ray Johnston on page 22.



"LOVE'S MEMORIAL"
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W. Ray Johnston

We salute you for 20 years
of consistent accomplishment
in the motion picture industry.



"CHILDREN OF THE NILE"
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"PORT O' CALL"

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REEL TRAVEL ADVENTURES

Produced by

DEANE H. DICKASON

"THE LAST RESORT"
Djibouti, French Somaliland



On Ray Johnston

HE dislikes moving. Always manages to be called out of town when there's any moving going on. He was in New England when he moved his home from New York to Larchmont and in Hollywood when his offices were transferred from 723 7th Ave. to Radio City.

•

He pays $150 a game for his golf. At least, that's what it figures to when you compute what he pays to be a member of Rockwood Hall as against the six games he plays annually.

•

He pays $55 a lunch to the New York Athletic Club. He's a member but attends only three times a year.

•

Even Johnston admits that these costs are nothing compared with keeping up Club Monogram which he operates in the cellar of his home in Larchmont.

•

He has managed to reduce the cost of golf games a little, though. Since he moved to Larchmont, he's three minutes' walk from the nearest golf course and now plays seven games instead of six. Games now only cost $30 each.

•

He asks his stars to take no risks he won't take himself. This summer on his way to the coast he travelled along a highway in New Mexico where part of the road had been washed away by floods. He and his partner, Trem Carr, came to the bridge where the supports were hanging on by the barest of threads. Carr suggested driving the car back some 50 feet and riding across sixty miles an hour a la Bob Steele.

P. S. Both men lived. The bridge held.

•

He has a parrot that attends all his parties. He camps on Johnston's right shoulder and stays there until two or three in the morning. Even later.

•

Even the family pets are named after his pictures. His parrot's name is Oliver Twist and he has a cat named Casey Jones. He just bought a white collie whom he has nicknamed Black Beauty, because he didn't have a horse to answer the purpose.

•

He wears a watch with his name on the dial—one letter for each number. He's one of those fortunate people who have exactly 12 letters to their name.

•

He's never without a radio. Owns and operates eight of them.

•

He collects all sorts of oddities and knicknacks and likes to show them to his friends when they come out to the house or visit him in the office.

•

He's one of the biggest men in the motion picture industry—six feet, six inches in stocking feet and hat on.

•

He goes 50-50 on everything with Carr—even to the extent of sharing losses on a recent holdup.

•

He's always proud to admit he was the screen's worst actor when referring to his starring days with the old Thanhouser Company.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Joe Palooka"

(United Artists)

HOLLYWOOD, Jan. 22.—Based on Ham Fish's popular cartoon strip, Joe Palooka in films brings to life the pen and ink characters which have enjoyed wide distribution in newspapers.

Essentially a comedy, it serves also a mixture of romance and homespun ringside action with some inside on the prizefight racket.

Accidentally becoming a prizefighter, Joe Palooka (Stuart Erwin), knocks out the champ, who enters the ring half cocked. The vamp, Lupe Velez, the former champ's sweetie, takes the new champ into camp. Thereafter the champ and the ex spat over Lupe. Palooka's mother, Marjorie Rambeau, doesn't want her son to fight. Palooka's manager, Jimmy Durante, knows he shouldn't fight, but a cafe brawl between the ex champ and Erwin over Lupe results in articles being signed. Palooka's father, Bob Armstrong, a former champ, returns to train his son. Palooka is knocked cold, but after the fight, in a verbal fracas, he knocks the champ cold.

Durante is the laughing highlight of the film with his well known antics and singing. The cast also includes Thelma Todd and Mary Carlisle, who do well in small parts.

Wherever Palooka in newspapers is liked, Palooka on the screen should do well. Produced by Reliance.

"Looking for Trouble"

(20th Century-U. A.)

HOLLYWOOD, Jan. 22.—Behind the lines of telephone wires, as picturized in "Looking for Trouble," lie romance, humor and excitement. These elements, flung against rain, sleet and earthquake, give point and counter point to the human drama parading before the colorful background.

Two trouble shooters, Spencer Tracy and Jack Oakie, jobbing together, are romantically inclined with two information girls, Constance Cummings and Arline Judge. Involved with wire tappers and a moll of the mob, Judith Wood, the boys maintain a hot pace of gags, running fire action and down to earth laughter that makes this picture solid entertainment.

In Tracy and Oakie a new screen team is born. They act as splendid foils for each other. Tracy adds another laurel to his wreath of fine performances. Oakie balances his befuddled demeanor with Tracy's cocksure confidence. Miss Cummings combines her beauty with an attractive performance. Miss Wood turns in a swell job. William Wellman's direction maintains a fast pace, with virile strokes. This melodrama, with its robust action, tangy lines and lusty laughs should draw the masses who like thrilling entertainment.

M-G-M Completes 29 Tieups on "Eskimo"

M-G-M has completed 29 tieups for "Eskimo" and is now working on the pressbook, which, the company states, will be the largest it has ever put out. The press sheets will measure 24x 32½ inches.

The tieups include Atwater Kent radio, Borden's Milk and Chateau cheese, Eskanoe Canoe, Quaker Cream of Wheat, and Puffed Wheat, Diamond Match, Eskimo shirts and Hunter's coats, Eagle Knitting Mills, products, Eskimo Quinine, Eveready Battery, Eskimo Pie, Eskimo Doll, Electrical Mixer, Domino sugar, Hills Bros.' coffee, Hohler Motor, Kellogg's All-Bran, Loose-Wiles Sunshine biscuits, Lipton Tea, Lucky Strike, Post Toasties, Royal Baking Powder, Remington typewriter, Norge refrigerator, United Electrical Co., Waterman Fountain Pen, Vapex and Remington Arms.

To Play Vaude Week-End

Beginning Jan. 27 the RKO Madison, Brooklyn, will play vaudeville Saturdays and Sundays.

Funeral of Greason Will Be Held Today

Funeral services will be held this morning at 11 o'clock at the Riverside Memorial Chapel for Alfred Rushton Greason, "Rush" of *Variety*. Greason died Sunday at the Park West Hospital where he had been a patient with a kidney ailment since New Year's Day. A widow survives.

Greason had been on the *Variety* staff 28 years and reviewed almost every form of entertainment steadily during that period.

Anne Maxwell Dead

Anne Maxwell, veteran scenario writer, at various times with Vitagraph, Fox, World Film and First National, died at her home in Brooklyn, yesterday morning. Miss Maxwell had many successes to her credit and wrote the silent adaptation of "Little Women," produced by World Film. Her more recent works were produced by Vitaphone.

Burial will take place at 2 P. M. tomorrow following funeral services at the New York and Brooklyn Funeral Parlors, 187 S. Oxford St., Brooklyn.

Short Subjects

"The Mystery Squadron"

(Mascot)

It grips. Latest in the series o Mascot serials moves and moves fas through its footage and, on the basi of the opening three episodes, look like the McCoy for the serial faithful

The story concerns construction o a dam in New Mexico and efforts b the mystery man, known as the Blac Ace, to stop the project because it completion will flood the richest gol mine in the land. Only the dam build ers aren't aware of this. Brought in to the scene as part of the move t keep construction going, Bob Steel and his flying companion, "Big Boy" Williams, find themselves in the thick of the fray as soon as they get int it. In the first three chapters, sus picion flows back and forth betwee J. Carrol Naish, Purnell Pratt an Bob Frazer, but, by the beginning o the fourth, the real identity of th Black Ace continues to be unknown There are air crashes, gun fights rough and tumbles in the air and o the ground and considerable, melo dramatic excitement. Much of th air stuff is thrillingly photographed.

Production values are O.K. Tha goes for the cast, including, aside fron Steele and others mentioned earlier Lucille Brown as the heart throb Jack Mulhall, Edward Peil, Lafe Mc Kee, Bob Kortman and Edward Hearn. Dave Howard and Ber Clark directed.

From Iowa to Code Authority

(Continued from page 6)

ture and holding a stock interest i the parent company and sharing in it profits.

The following year when the com pany's franchise holders convened i New Orleans, the schedule for th new season was increased to 32 fea tures. In that year, 1932, its distribu tion became world wide with Path distributing in England and Empir Films Ltd. in Canada, and variou agents in other principal countrie throughout the world. In the Unite States were 37 affiliated Monogran exchanges, covering every key city

Its 1933 convention at Atlantic Cit was attended by 100 delegates wh voted to increase the budget cost o the current season's schedule by a least one-third in order to better serv its list of customers. During the year the company's headquarters were moved from 723 7th Ave. to resplen dent new quarters in the RKO Build ing, Radio City and Johnston wa named to Code Authority. From hi sanctum there Johnston now marks hi 20th anniversary year in the industry with the announcement that the com pany's schedule will be further in creased to 36 features next season.

Off to Do "Murder"

Earl Carroll, his manager, Ton Rooney, Teet Carle of the Paramoun coast publicity department, and 1 Carroll girls, leave for the coast to day preparatory to starting "Murde at the Vanities."

The troupe will make brief stop overs enroute to Hollywood, where i will arrive on Sunday.

UNIVERSAL NEWSREEL

scores two separate hits in one issue! *

•

EXCLUSIVE

scenes marking the overthrow of Grau San Martin as head of The Cuban Republic - -

FIRST

on the screen with the actual scenes of the six naval flying boats at the end of their non-stop flight from California to Hawaii.



*Issue No. 216

New Orleans Forms New Unit for MPTO

NEW ORLEANS, Jan. 22.—A temporary organization intended for affiliation with the M.P.T.O.A. has been formed here with Harry S. McLeod of the St. Charles as president. Other officers are: First vice-president, A. Higginbotham, Baton Rouge; second vice-president, Joe Barcelona, Baton Rouge; third vice-president, Charles Lauve, Franklin; directors, Ed. Myrick, Joseph Alsena, New Orleans; Philip Shinan, New Iberia.

Organization was effected after an address by Ed Kuykendall, in which he criticized Abram F. Myers, Allied general counsel, and said: "The industry as a whole is bigger than any individual and that's the way it's going to be."

Penn. MPTO Elects New Officers Today

PHILADELPHIA, Jan. 22. — Code problems and the annual election will be two of the subjects up today at a meeting of the M.P.T.O. of Eastern Pennsylvania, Southern New Jersey and Delaware.

Percentage disputes with United Artists, patent troubles with American Tri-Ergon and the local operators' situation will also be discussed.

I. E. Chadwick Calls Coast Independents

HOLLYWOOD, Jan. 22.—I. E. Chadwick has called a meeting of all independent producers to organize the west coast set-up of the Federation of the M. P. Industry. According to the plan to raise funds, producers will be asked to pay $10 a reel for each positive print and exchanges will be taxed 10 cents a reel on each release.

Ochs Calls Session On M. P. Club Plans

Lee Ochs, president of the M. P. Club, has called a general meeting of the membership for tomorrow when several plans to perk up the interest of the club will be put to the members for a vote. One includes installation of a bar and others revolve around creating interest in the club as the daily meeting grounds.

Arthur in St. Louis To Handle Fox Deal

ST. LOUIS, Jan. 22.—Harry C. Arthur and his attorney, Herman J. Weisman of Waterbury, Conn., arrived here today to confer with the receivers of the Fox, preparatory to final closing of the F. & M. deal, expected this week. Arthur and his lawyer will remain here a few days before heading back to New York.

Manager Directs Firemen

BRIGHTON, COLO., Jan. 22.—By climbing a telephone pole and directing firemen where to turn the water, W. Glenn Miller, manager of the Rialto, probably saved the town from a serious blaze. The fire had started in the old opera house building and was gaining headway until Miller climbed the pole, gaining the vantage point. Damage was held to $500.

Hollywood On Parade

By BILL SWIGART

HOLLYWOOD, Jan. 22.—A local statistician, like the thousand and one inventors trying to perfect perpetual motion, is going around in circles trying to calculate what Hollywood spends annually for parties. Since the cost of these parties ranges all the way from the price of a quart of gin and a ham sandwich, to the other extreme of champagne, costly favors and a banquet, accuracy of any calculation along this line is about as impossible as the perfection of perpetual motion.

•

The performance of DOUGLAS MONTGOMERY and DOROTHY WILSON in "Eight Girls in a Boat" has convinced CHARLES R. ROGERS of their potentialities as co-starring timber and has set the couple to head the cast in "Canal Boy," an original story by FORREST HALSEY and CLARA BERANGER.

•

Of all the goofy propositions being daily presented to the local Hays office for approval is that of a local photographic expert who has perfected a unique system for making composite photographs. The genius has perfectd the system so well that he can place any star in any sort of pose with Joe Doakes from Oshkosh Imagine what the Beau Brummel from any Main Street would pay to have his picture grouped in fond embrace with Greta Garbo. It would be great sport for the outsider, but just another headache for the Hays office. The proposition was kaoyed before it could reach the studios.

•

RUDY VALLEE'S departure for the East created considerable suspense at the Fox studios until the rushes for his last scenes were okayed. Had retakes been necessary, the company would have faced a problem that even money readily could not have straightened out.

•

The dailies and wire services are still falling for the elusive GARBO hoax, by playing up the recent GARBO-MAMOULIAN vacation trip to the Grand Canyon in a big way, and to make it big the recipients of this inestimable free publicity are acting their part in true scenario fashion. After establishing their identity in one spot, they hurried away for another spot and a new chapter in the chase.

•

NOTES FOR THE BOOK . . . RUTH ROLAND has joined forces with DAVE ARLEN in the business of free lance publicity purveyors. . . . EPH ASHER has been assigned to produce Poe's "The Black Cat" with BELA LUGOSI and BORIS KARLOFF. Also "Mary and Elizabeth" with MARGARET SULLAVAN as Mary and possibly PAULINE FREDERICK as Elizabeth. Both pictures are for Universal. . . . MAURY COHEN, producer of Invincible Pictures, has changed the title of his current production from "Swan Song" to "Cross Roads." The picture features CLAIRE WINDSOR, JOHN MACK BROWN and ANITA LOUISE and was directed by FRANK STRAYER. . . . BORIS KARLOFF has two Scottie dogs, which he calls "Whiskey" and "Soda." . . . EDMUND LOWE has reasons for being jubilant over the repeal of prohibition . . . he owns 2,000 acres of grape land in central California, enough to furnish the whole industry with wine. . . . LEWIS STONE is planning to make a six months' cruise around the South American continent in a 105-foot schooner, which he has just purchased. . . .

Va. Women Protest Censor Board Shift

RICHMOND, Jan. 22.—Some protest has been made by women's clubs over Attorney General John R. Saunders' request for the resignation of Mrs. Emma Speed Sampson as a member of the censor board. She was one of the original appointees in 1922.

Mrs. Elizabeth Churchill Chalkley, widow of the late Senator John W. Chalkley, who is scheduled to succeed Mrs. Sampson, has been a member of the State Prohibition Department which is being abolished as a result of repeal.

To Hold London Meet

Columbia will hold a three-day sales meeting of the entire English sales force in London on Jan. 27-29. Joseph Seidelman, who arrives in London on the *Olympic* shortly before the session, will preside. Following the meeting Seidelman will make a survey of the European situation.

N. O. Zoning Problem Up

NEW ORLEANS, Jan. 22. — Zoning problems confronting Warners, United Theatres, Inc., and the Newcomb and Wonderland theatres are expected to reach the clearance and zoning board as soon as it starts functioning.

First Income Taxes Fall Due in Kansas

TOPEKA, Jan. 22.—Income taxes on individuals and corporations, imposed for the first time in Kansas to boost state revenue, are now due. Enacted by the legislature last winter, the law was made to apply on incomes for 1933 and is imposed on the net.

Corporations are taxed 2 per cent and payments are due at the close of their fiscal year and become delinquent and subject to penalties three and one-half months later. The assessment on individual incomes is graduated, ranging from one per cent up to $2,000, to 4 per cent on all over $7,000 annual net income. Exemptions are allowed for individual incomes.

Radio to Do "Pompeii"

HOLLYWOOD, Jan. 22.—Bulwer-Lytton's "The Last Days of Pompeii" will be filmed by Radio at a large cost. It was made as a silent 15 years ago by an Italian producer.

Montage by Browning

The photomontage used on the cover of MOTION PICTURE DAILY'S Studio Number, published last Friday, was prepared by Irving Browning.

Columbus Club Has 400 at 3rd Dinne

COLUMBUS, Jan. 22.—Approximate 400 members, including delegation from Pittsburgh, St. Louis and Cincinnati, attended the third annual banquet and entertainment of the Columbus Variety Club in the Deshler-Wallick ballroom here last night.

Among the principal speakers were Sir Ernest Du Pille, billed as managing director of Continental Theatres, Ltd., London, scheduled to deliver a serious address on American films. He proved, instead, to be a professional English humorist of note who released an unexpected line of nonsensical chatter.

A vaudeville program was given by Olsen and Johnson, appearing here in "Take A Chance," while outside the ballroom, Haenlein's sideshow was presented.

William M. ("Billy") James, honorary president of the Ohio M.P.T.O. acted as toastmaster. Governor George White was among the notables present.

Elliott Plans Film On Yangtze Rive

HOLLYWOOD, Jan. 22. — Clyde E. Elliott, who recently returned from Penang in the Straits Settlements with a print of "Devil Tiger" for Fox release, leaves for China in March to film a story dealing with Chinese pirates on the Yangtze river. The story is tentatively titled "Yellow Waters" and is an original by Bonnie Powell.

The picture will feature an all native cast and will require about six months to complete, with actual filming taking place about 1,500 miles north of Shanghai in bandit territory. Elliott will take three cameramen in addition to his regular sound and technical crew.

Negotiations for release are now being conducted with two major companies.

Canton to Have Two More Theatres Soon

CANTON, Jan. 22.—This town will have two more houses soon and will lose vaudeville at one.

Young & Rinehart have leased the Lyceum, former burlesque and vaudeville house, and will open it on a stage-film policy in about a month after spending $10,000 on the interior. The name will be changed to the State.

Allied Theatres, Inc., recently formed by John P. Shilling, Helen Reese and Sydney L. Geiger, which acquired the Columbia at a recent receiver's sale, is having sound installed and will open it soon.

Loew's is dropping vaudeville after a four months' trial.

Walker May Receive Farley's Party Jol

WASHINGTON, Jan. 22.—Reports were current here today that President Roosevelt is considering Frank C. Walker as successor to Postmaster General Farley for the chairmanship of the National Democratic Committee.

Farley is said to have requested that he be relieved of the chairmanship as he feels that he could not hold political and government positions simultaneously.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

OL. 35. NO. 20 NEW YORK, WEDNESDAY, JANUARY 24, 1934 TEN CENTS

Majors Ask for Definite NRA Cancellation Ruling

Reports Educ'l-Fox Deal Is Off Bring Pair of Denials

Probably Broadway's livest rumor yesterday was a story that Educational, dissatisfied with its current releasing deal, had served notice that it intended to distribute elsewhere. One angle of the report had it Hammons again planned an exchange system of his own.

Sidney R. Kent, president of Fox, told *Motion Picture Daily* yesterday it "was news to him."

Hammons declared: "Just a rumor and absolutely nothing at all to it. As a matter of fact, the first time I heard such a story was in circulation was when a newspaper reporter called to check."

His 10 Per Cent Ruling to Stay, States Rosenblatt

HOLLYWOOD, Jan. 23.—Conceding the right of major distributors to proceed with a legal test of his ruling, Sol A. Rosenblatt, division administrator, on arrival here today said that as far as he is concerned his decision regarding the application of the 10 per cent cancellation clause will stand.

The distributors' position was cited to Rosenblatt, to the effect that the date of approval of contracts is considered the determining factor and contracts approved prior to the effective date of the code are not subject to the exclusion clause. To that interpretation, Rosenblatt had this to say:

"It makes no difference when an exhibitor signed a contract or when it was approved. If he has signed the code and fully complies with the provisions governing cancellations, he is

(*Continued on page* 8)

Act at Code Authority Session—Johnson to Get Request

Major distributors, through the Code Authority, yesterday asked for a definite ruling from the NRA legal department on the recent stand assumed by Division Administrator Sol A. Rosenblatt that the 10 per cent cancellation clause is retroactive as of Dec. 8.

William P. Farnsworth, deputy administrator substituting for Rosenblatt at the authority session, said he would take the matter up with Hugh S. Johnson on his return to Washington. The deputy will remain in New York today to attend the hearing on the legitimate theatre code at Dr. Henry Moskowitz' office.

S. R. Kent, Charles L. O'Reilly, George J. Schaefer, W. Ray John-

(*Continued on page* 8)

Player Loans Gain as Costs Rise on Coast

HOLLYWOOD, Jan. 23.—Facing an inevitable increase in costs because of the NRA, producers will be more susceptible to farming their contract players to other studios when not needed on home ground. This, however, will not apply to established stars, except on rare occasions.

The practice of interchanging contract players —from one studio to an-

(*Continued on page* 10)

Producers Gather For Talks on Code

HOLLYWOOD, Jan. 23.—Producers as well as Division Administrator Sol A. Rosenblatt are making their headquarters at the Beverly-Wilshire, and

(*Continued on page* 8)

Authority Lists 26 For Secretary Jobs

Twenty-six additional names of persons recommended for places as secretaries of clearance and zoning and grievance boards were announced

(*Continued on page* 8)

Stranger Within Gates Disturbs Code Authority

An elderly gentleman with a brown fedora and brief case in hand visited the Code Authority for the first time yesterday and almost caused a riot when the members started to get down to the business of the day.

When first approached by MOTION PICTURE DAILY, the man said he was an alternate for a member of the authority, but upon further questioning would not say whom he was representing. Having read in this publication that Deputy Administrator William P.

(*Continued on page* 8)

Hoblitzelle Is Named for Post at Para.

outhwest Wants Him as Theatre Advisor

Karl Hoblitzelle, Paramount theatre rating partner at Dallas, has been ected by all of the company's operng partners in the southwest as the resentative of that territory on Parount's national theatre advisory mittee of six.

Hoblitzelle is the third member of committee to be named, E. V. hards of New Orleans having been ected to represent the south and N. Nathanson of Toronto to represent Canadian territory. The three rening members will be selected from New England, Chicago and far t territories.

Either John or Barney Balaban is arded as likely choice for the comtee from the Chicago territory.

ara. Receivers' Expenses Up Soon

J. S. District Court Judge John M. olsey will pass on the Paramount blix equity receivers' petition for wances aggregating approximately

(*Continued on page* 10)

izor Again Named Head of Penn MPTO

PHILADELPHIA, Jan. 23.—Lewen or was reelected as president of M.P.T.O. of Eastern Pennsyl-

(*Continued on page* 12)

Hershfield Explains

Although columnists "misquote him all the time," Samuel Goldwyn, under the impression he was talking to them at the Cheese Club yesterday, said he liked them just the same and they are his best friends.

When the producer finished his speech, Harry Hershfield took the floor and stated that what Goldwyn had tried to tell the boys was that he signed Anna Sten two years ago because he had inside dope that America was going to recognize Russia.

Not A Nod

Kansas City, Jan. 23.—When Division Administrator Sol A. Rosenblatt alighted from the train here Saturday night to get some platform exercise he nearly bumped into Morton Downey, former president of the Actors' Betterment Ass'n, who was saying goodby to Barbara Bennett.

Other players were also exercising, but Rosenblatt didn't even give them a nod.

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Nationwide Variety Club Is Discussed

COLUMBUS, Jan. 23.—Formation of a national Variety Club is under consideration. Two members of the local club have been named to confer with representatives from St. Louis, Detroit and Cincinnati.

Clubs are being organized in Cleveland and Denver.

Peggy Fears to Fox

Fox has signed Peggy Fears to a term contract and she will leave early in March to start in her first assignment. Miss Fears made a screen test for Fox while on the coast last spring.

MOTION PICTURE ALMANAC
1934-35
NOW IN PREPARATION
WHERE THE WORLD LOOKS FOR MOTION PICTURE facts
PRICE $5.00

The Pay-Off

SIGNS on the winter horizon are beginning to point to better days for a long harassed picture business. The awful impact of the prolonged depression has left its marks and the ravages are not pleasant. It will be a long time before salary cuts are forgotten, once they are restored as eventually they will prove to be; before the difficulties created by an enforced curtailment of working personnel, cessation of dividends and huge wallowings in red are wiped out and forgotten.

Gradually, however, and as business conditions continue to improve slowly, the past will become the past and faces will turn resolutely and sanely, we hope, toward the new order of things. Triflingly short of a cataclysm as the last three years have been, there seems to us little to worry about over the stability and the future of a business that retains the common sense to realize it has been through something and, having so learned, proceeds to function along judiciously economic lines.

▼

AS a marker of the times and from a number of angles, all interesting, one of the best of the steering jobs through perilous whirlpools has been done at Warners. There, the benefits finally reaped from conservative management are beginning to reflect themselves on the balance sheet and, while the latest in financial reports deals only with the first quarter of the company's fiscal year, it is something in these times of deficits to note that the company changed inks to the tune of $105,752 in the black.

Don't get any faulty ideas about the struggle that stalked behind these figures. There were salary cuts. As a matter of fact, there were salary cuts as high as 50 per cent. There were times, when cash was lacking to meet the payroll. Employes didn't cheer. As a matter of fact, undoubtedly they didn't like it and there wasn't much they could do about it, but that particular blow was accepted with some sort of a hard times philosophy which may have dented loyalty without leaving any permanent scars.

There were times when, because the Warners have been operating without banking aid, the brothers themselves had to dip into their private accounts and advance the necessary funds without which there could have been no continuance. There were times when the brothers not only cut their own salaries, but turned over what they drew for apportionment among lesser employes.

▼

EVERYONE who professes to be at all film wise must have heard the stories, bandied about freely months ago when the receivership era took hold, that the Warners would be the first to go. Only the company didn't, but remained by what sheer audacity and courage make explanation difficult, to adjust and trim corners and slash costs in a terrific battle, common with the entire business, to keep head above water.

Theatremen may have and, subsequently, did rant over the terms demanded for "42nd Street." The percentage brackets went higher. In many places, the picture was re-sold on stiffer terms. But perhaps overlooked has been the fact that the musical which knocked records to the warm places and back again was released during the moratorium last March when other distributors, or some of them, began to consider and, in some cases, actually did pull releases off schedule until the banking holiday had terminated. It took some courage to adopt that course on "42nd Street." That must be conceded as a point in fairness.

(*Continued on page* 10)

Eastman Takes ¾-Point Gain

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	26⅝	25½	26⅛	— ¼	100
Consolidated Film Industries	4	4	4	+ ¼	400
Consolidated Film Industries, pfd	14	13½	14	+ ½	1,600
Eastman Kodak	87½	85¾	87	+ ¾	2,100
Eastman Kodak, pfd	120	120	120	.....	4,000
Fox Film "A"	15	14½	15	.....	1,300
Loew's, Inc.	29½	28⅝	29	+ ⅛	15,600
Loew's, Inc., pfd	81¼	81¼	81¼	+ ¼	100
Paramount, cts.	3½	3	3½	+ ⅜	17,600
Pathe Exchange	1⅞	1¾	1⅞	.....	900
Pathe Exchange "A"	12¼	12	12	— ¼	500
RKO	3	2⅞	3	.....	2,600
Warner Bros.	7⅛	7	7	— ⅛	6,200

Sentry Advances ⅛ Point

	High	Low	Close	Net Change	Sales
Sentry Safety Control	¼	¼	¼	+ ⅛	100
Technicolor	10¾	10⅜	10⅜	— ⅛	500

Paramount Broadway Down 1¼

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	6¾	6⅛	6¾	+ ⅛	17
General Theatre Equipment 6s '40, ctf	6⅜	6⅜	6⅜	— ⅜	2
Keith B. F. 6s '46	58	57	57	.....	3
Loew's 6s '41, ww deb rights	91⅜	90½	91⅜	+ ⅞	5
Paramount Broadway 5½s '51	37	37	37	—1¼	1
Paramount F. L. 6s '47	39	37	37	— ¼	15
Paramount Publix 5½s '50	38	36½	38	+ ½	18
RKO 6s '41, pp	25	25	25	.....	1
Warner Bros. 6s '39, wd	50½	49½	50¼	— ¼	61

Purely Personal

AT Mrs. Astor's boarding hou for lunch yesterday:

SIDNEY R. KENT and W. C. MICHEL, BOB SISK, GEORGE SCHAEFER, AUSTIN KEOUGH, HENRY HOBART, CHARLIE EINFELD, GEORGE DEMBOW, MILT SILVER, CLAYT BOND and JULES LEVY.

LIONEL AND MRS. BARRYMORE wi arrive today at the Hotel Warwic for a short vacation. BARRYMORE scheduled for a personal appearanc tour, beginning at the Capitol Feb. 9

PETE MAYER contemplates an im portant trip to Massachusetts. North ampton is in Massachusetts; Smit College is in Northampton.

RAY JOHNSTON'S desk and windo sill are cracking under the weight books for which Monogram has s cured the talker rights.

BERT WHEELER and DOROTHY LE slipped into a trade showing of "Hi Hips Hooray" at the RKO projectio room yesterday, almost unnoticed.

TAYLOR HOLMES R. H. BURNSID S. J. KAUFMAN and SAMUEL GOLD WYN were Cheese Club guests yeste day.

EDMUND GOULDING is here to vi his wife, who is seriously ill. He ca in by plane from the coast.

J. J. UNGER and MILT KUSELL lea today for Cleveland, Cincinnati an several other Paramount exchange

JACK BACHMANN, president of Pr ferred Pictures, leaves for the coa tomorrow.

BOB GILHAM got in from the coas yesterday.



FLASH!

"I AM SUZANNE" DOES BIGGEST SATURDAY AND SUNDAY BUSINESS AT RADIO CITY MUSIC HALL OF ANY FOX PICTURE SINCE "CAVALCADE" - - - - - - - -

• And "Cavalcade" holds the Radio City Music Hall attendance record

FOX

I Am Suzanne!

with

LILIAN HARVEY

GENE RAYMOND

LESLIE BANKS

Podrecca's Piccoli Marionettes. Story and screen play by Edwin Justus Mayer and Rowland V. Lee. Directed by Rowland V. Lee.

JESSE L. LASKY Production





EDNA MA
OLIVE
a
EDWAR
EVERET
HORTO
in THE

POOR

THE BIG LAUGH SHOW

WITH AN ALL-COMEDIAN CAST including: Thelma Todd, Leila Hyams, Andy Devine, Grant Mitchell, John Miljan, Una O'Connor. Produced by Carl Laemmle, Jr. Screenplay by Ebba Havez and Dale Van Every. Presented by Carl Laemmle. Directed by EDWARD SEDGWICK


"A comedy that gathers laughs all the way . . . The giggles are down to earth, rich and broad, with special appeal to the masses . . . A near murder, a funny nut detective and a surprise, climax the story with A SERIES OF HOWLS . . . Director Edward Sedgwick squeezes every cackle out of the situations, which have the timely slant."
—Motion Picture Daily
RICH
STEP OUT WITH UNIVERSAL

BOLERO

DUCK SOUP

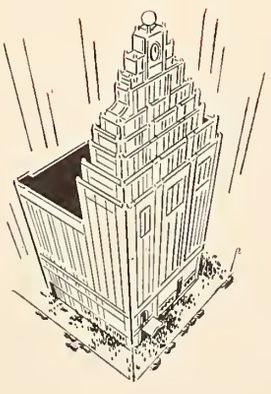
GOOD DAME

I'M NO ANGEL

TORCH SINGER

COLLEGE HUMOR

TOO MUCH HARMON



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MOTION PICTURE HERALD

Paramount and Progress

By MARTIN QUIGLEY

Glancing backwards as we approach this year-end, what has happened in the case of Paramount Pictures is something that stands out in sharp and luminous relief as a development of consequence to the industry at large.

For many years the name of Paramount connoted something of vast importance in the world of motion pictures. The institution behind the name played a leading role in matters of production, distribution and exhibition. Upon the attraction value of its product many thousands of theatres throughout the world placed an enormous reliance. To the public it meant a great column in the temple of the motion picture.

△ △ △

Then, in the latter part of last year and through the commencement of this year, rumors of financial distress flew about the trade and lodged with the public. Eventually came the state of bankruptcy of the parent concern and certain of the subsidiary theatre enterprises. This shocking development was not and could not have been rightly interpreted as an isolated instance of distress with little or no consequences beyond the interests immediately affected. The predicament of Paramount cast its shadow throughout the length and breadth of the industry, reflecting apprehension and even gloom virtually throughout the business. One of the great pillars of the temple of the motion picture was cracking under the strain.

However, it developed that those responsible for the administration of the Paramount interests had planned carefully and well in anticipation of the inevitable readjustments that had to be provided for. The activities concerned with production and distribution were marshalled into subsidiary corporations in order to permit of uninterrupted operation and a continuity of management irrespective of what complexities the processes of the law would introduce.

△ △ △

The arrangements which were provided succeeded significantly in keeping the wheels of the distribution machine, both domestic and foreign, turning so that the many thousands of theatres which needed their customary supply of Paramount product could continue to be served. The studios, which on account of the difficulties and complexities inherent in the business of producing motion pictures faced an exceedingly critical day with the coming of the bankruptcy, were not only kept functioning but actually succeeded in turning out a number of significant attractions.

Theatre companies which went into bankruptcy or receivership were carefully administered to the end that the necessary readjustments were effected with the least possible hindrance to the distribution of the product and the regular flow of attractions to the screen. Largely in the hands of local men of experience and reputation were left the difficult problems of leasehold and mortgage rearrangements and this work has proceeded to a point at which most of these local and sectional enterprises have either been reorganized or are about to be.

△ △ △

And thus the name of Paramount has survived in the world of motion pictures. Quite obviously, however, what has been done has neither been an accident nor has it been any easy accomplishment. Paramount Pictures during the past year faced a critical test. In the face of many obstacles it has made such progress as to reflect much credit upon the management as well as to afford no little satisfaction to the industry at large. The concern of the industry has been most pertinent. Had disaster overwhelmed the Paramount Pictures group of enterprises, reverberations from it would have raced into every quarter of the industry. In fact, it may be said that the rehabilitation of the industry at large has gone on hand in hand with the reorganization and reconstruction which have taken place in the Paramount Pictures group.

△ △ △

The Paramount personnel, in production and in distribution, have been under a severe strain, not only on account of the formidable tasks facing them but also because of impending uncertainties. All of this imposed additional burdens and, consequently the achievements which have been attained well merit an added measure of recognition.

The progress which has been made by the Paramount Pictures group doubtlessly and has every right to be considered as a source of both satisfaction and encouragement to the management and to the personnel generally. The record of the past seven months may well be an inspiration to the whole organization to carry on and throughout to the goal of the complete reestablishment of Paramount on its enviable plane former years.

. . . i f i t ' s a PARAMOUN

NG OF SONGS



SITTING PRETTY

AIN'T NO SIN

GREAT MAGOO

RANGE HOLIDAY

SIX OF A KIND

URDER AT THE VANITIES

THE SCARLET EMPRESS

EOPATRA

DOUBLE DOOR

THREE CORNERED MOON

ICE IN WONDERLAND

THIRTY-DAY PRINCESS

LODY IN SPRING

FOUR FRIGHTENED PEOPLE

ARCH FOR BEAUTY

DESIGN FOR LIVING



CTURE it's the best show in town

Ask Definite NRA Ruling on Cancellation

(Continued from page 1)

ston, Nathan Yamins and Ed Kuykendall, the committee on clearance and zoning and grievance boards, start work Friday on selections. After weeding out duplications, the list of 3,000 suggestions has been pared to 930. The committee will continue its work until it completes selections for each of the 32 zones and these will be presented to the Code Authority at its next meeting, Feb. 9. More recommendations are filtering in at the authority headquarters from far west points, but the final batch is expected before the selection group begins sifting the names.

Rosenblatt is due back from Hollywood between Feb. 4 and Feb. 7 and will attend the next session. Headquarters will be ready for occupancy Feb. 13. The committee on rules for the authority will have its report ready at the next session, it was stated yesterday.

Johnston, Schaefer and Felix Feist have been named to a committee on fire regulations for exchanges. Feist is on his way to the coast and will not back for six weeks. A committee of seven will be appointed today by R. H. Cochrane, who presided at yesterday's session, to investigate vaudeville protests. Naming of the five Code Authority members for the studio agency committee was deferred until Rosenblatt returns from the west.

Nathan Yamins will be chairman of the Feb. 9 session. It was stated yesterday that if the board's committee completes its work sooner than anticipated, the next session will be held before the set date.

Official figures of the authority show that up to yesterday there were 4,502 assents on hand, 60 of which were from distributors, including national companies. Individual producers signing the forms totaled 29.

Lowell Declination Approved by Graham

Copies of a letter sent to Dr. A. Lawrence Lowell of Harvard, supporting his refusal of a post on the Code Authority, were mailed yesterday to President Roosevelt, Attorney General Homer S. Cummings, members of the Senate and House of Representatives, and other administration figures, by Arthur Butler Graham, attorney and author of the letter to Dr. Lowell.

Graham's letter is an attack on the legality of block booking. It cites various court opinions holding the practice to be a violation of the anti-trust laws when identified with monopolistic practices, and recites the history of Edward Quittner's anti-trust action against Paramount and major distributors last spring. Graham was Quittner's attorney.

Coughlin Short to RKO

RKO has booked "The Fighting Priest," a short featuring Father Coughlin, for 11 metropolitan theatres.

His 10 Per Cent Ruling to Stay, States Rosenblatt

(Continued from page 1)

entitled to 10 per cent eliminations after Dec. 7.

"If the distributors want to bring suit, that is their privilege. But I haven't heard of any."

Refusing further comment on the subject, Rosenblatt declared: "I don't see why I should have to add to a carefully prepared and formulated statement given out in Washington and approved when it was given out."

The administrator declined to suggest a possible date when the local boards will begin operations, which is widely and eagerly awaited in the field. "That is up to the Code Authority," he explained.

Rosenblatt would make no comment on Allied's test case against the NRA. He said all comments and answers would be filed by the Government, as the NRA has its own legal staff which works in conjunction with the attorney general.

Rosenblatt professed complete ignorance of objections against the current NRA investigation of industry salaries and said he hadn't heard of the general opposition expressed by company executives here to the searching salary questionnaire.

"Nothing like that has been called to my attention," he said.

Asked if he would confer here with Will H. Hays, who arrived in Hollywood late last week, Rosenblatt indicated he had no prearranged plans to meet Hays. "But if he is here, I'll probably see him," he added.

Rosenblatt expects to remain here about 10 days.

Rosenblatt Dodges Kansas Law Ruling

KANSAS CITY, Jan. 23.—Distributors here sought an informal ruling from Sol A. Rosenblatt, division administrator, at the Union Station here on an apparent conflict between the industry code and Kansas laws. Without ruling directly on the question, Rosenblatt's opinion was the matter would have to be submitted for a decision in the usual procedure.

The problem disturbing local exchanges has to do with a Kansas Supreme Court decision last year declaring film contracts stipulating minimum admissions illegal under the state anti-trust laws banning price-fixing. The distributors contend that under the code they are permitted to specify minimum admissions, since the code empowers the use of the Optional Standard License Agreement under which admission prices may be set.

It is held that since the standard license agreement is part of the code and since the code is Federal law, under these conditions it would supersede the state laws of Kansas.

Rosenblatt's answer was that there is nothing in the code itself which permits stipulation of minimum admissions in contracts, and since the question had not been raised formally, it will have to be submitted in accordance with code procedure.

Authority Lists 26 For Secretary Jobs

(Continued from page 1)

yesterday by Code Authority. The names were from six exchange centers—Cleveland, Des Moines, Detroit, Los Angeles, Milwaukee and Omaha. They follow:

Cleveland—A. G. Constant.
Des Moines—R. M. Copeland, W. E. Banford, D. V. McLucas, Hale Cavanaugh, Tom Brown, A. J. Diebold, Grace Gannon.
Detroit—C. R. Beechler, William London, Lew Wisper, Sam Brown. Fred DeLodder. Alex Schreiber, William Hurlbut, Sam Decker, W. S. McLaren. P. M. Sprott, Priscilla Ackerman, Louise Miller.
Los Angeles—Harry C. Arthur, Sr., John Redmond.
Milwaukee—Ben Koenig.
Omaha—Will Singer, G. F. Nye, Richard Koch.

Allied's Directors Meeting Here Today

Directors of Allied States meet today at the Warwick to discuss problems in connection with the code. Attending will be Nathan Yamins, Sidney Samuelson, J. C. Ritter, Al Steffes, Abram F. Myers, Fred Herrington and H. M. Richey.

Stranger Within Gates Disturbs Code Authority

(Continued from page 1)

Farnsworh would substitute for Division Administrator Sol A. Rosenblatt, Executive Secretary John C. Flinn was under the impression that the newcomer was the government representative and let him in.

After walking into the room, the unidentified man said he was a friend of R. H. Cochrane and then sat at the sidelines waiting for the members to be seated. When the meeting was called to order, the man went over to Cochrane, Charles L. O'Reilly, S. R. Kent, W. Ray Johnston, Nathan Yamins, George J. Schaefer and Ed Kuykendall and handed each a folded slip of paper.

Opening the papers the seven men found them to be summonses issued in behalf of the Congress, Newark, N. J., suit against the Authority. The man turned out to be a deputy from the United States marshal's office.

Flinn, having been served on Monday, was not served again. M. H. Aylesworth is in Florida and, likewise, was not given a summons. With Joseph Bernhard pinch hitting for H. M. Warner, J. Robert Rubin for N. M. Schenck, and Farnsworth for Rosenblatt, they were not served.

Producers Gather For Talks on Code

(Continued from page 1)

the former are holding a number o conferences during which Will H Hays is discussing code development since the President signed the docu ment.

Producers have decided to await a invitation from Rosenblatt for an conferences he may desire, and wi appoint committees for this purpos when he requests it.

Rosenblatt had let it be known th star raiding is one of the importan matters he intends to investigate, b cause of the general belief that it elimination will lower production cost

Sixteen producers, including Adolp Zukor and Harry M. Warner, ar urging the naming of B. B. Kahan Louis B. Mayer, Emanuel Cohen an Jack L. Warner to the agency com mittee.

The Academy has offered Rose blatt access to its files, but other tha this offer of cooperation the board o governors will make no effort to cor tact him. Other groups are adoptin the same attitude.

Rosenblatt spent today contactin studios and executives to get firs hand information on the code. H visited Fox, M-G-M, Roach, Colum bia, Radio and 20th Century and m Louis B. Mayer and Winfield She han. The balance of the studios wi be visited tomorrow. In addition h is holding night conferences at h hotel. Ralph Blum, attorney for th agents, was one of his visitors la night and John Zanft was amon those who called on him this evenin Darryl Zanuck was cagey about di cussing the conferences other than hint at a secret investigation.

Samuelson Attacks Kuykendall View

"Independent exhibitors are amazed declared Sidney Samuelson, head Jersey Allied and vice-president Allied States, yesterday, "at Ed Ku kendall's activity as a propagandi Certainly his appointment to the Co Authority should have had a restrai ing influence upon his outbursts."

Samuelson's statement was in re to one from Kuykendall on Monda in which the M.P.T.O.A. head charg Allied was misleading its members advising them to sign with reser tions.

"By his continued intemperate, u justified and unfounded attacks he h convicted himself in the eyes of in dependent exhibitors," Samuelson's sta ment went on, "as being unfit to sit the Code Authority as a representati of independent exhibitors. Once a for all he should come out in his tr colors and take his position with t affiliated major producer-distribut exhibitors above the line."

To Determine Credits

HOLLYWOOD, Jan. 23.—The Wr ers' Guild has named a committee determine writers' demands in t way of screen credits. On it are S Ornitz, Alice Duer Miller, Les Cohen, Winifred Dunn, Arthur Kol and John Fish Goodrich.

THE FUNNIEST THING THEY'VE EVER DONE

BERT
WHEELER
ROB'T
WOOLSEY

with
RUTH ETTING
THELMA TODD
DOROTHY LEE



HIPS HIPS HOORAY

MUSIC LYRICS AND SCREEN PLAY BY
HARRY RUBY AND BERT KALMAR
MERIAN C. COOPER Executive Producer
Directed by Mark Sandrich

RKO Radio PICTURES

Player Loans Gain as Costs Rise on Coast

(Continued from page 1)

other has become more open during the past two months than probably ever before in the history of Hollywood. This has been a hard blow to the free-lance player, since every loan of a contract player means one less job for the free-lancer. Yet the player loaned is often dissatisfied for two salient reasons. First, he is often bartered on sums far in excess of his contract salary, second, it keeps him busy constantly without rest between pictures.

Keeps 'Em Hopping

Again there are times when an actor is farmed to another studio and called to return to his home base for retakes or in a new picture. This finds him hopping from one studio to the other, day or night, whatever the time may best fit the production schedules of both studios, actors complain.

Incidentally, the latter problem is one of the first to be taken under serious consideration by the newly organized Screen Actors' Guild, according to a statement made at the El Capitan Theatre when the Guild held a mass meeting to organize.

It is only on rare occasions that a producer will condescend to farm out an established star or equally established featured player, believing that too many pictures or the possible mishandling of that player might depreciate his standing with his public.

More Freedom Sought

Players who have reached the starring stage and other important featured actors, are somewhat reluctant about signing any new long-term contracts for exclusive service to any one studio, but incline toward a definite number of pictures with the provision that he can make pictures for other companies. This practice has become more popular in the past year than ever before, and seems to be desirable to both parties. In the first place, it relieves the producer from a weekly overhead when he finds it is impossible to secure a suitable vehicle. To the artist, it affords a better opportunity to shop around and select stories.

Directors and writers are following the same practice, which like the artist, permits them to accept or reject the story best suited to their capabilities. As a matter of fact under the new by-laws of the Screen Writers' Guild, members are not permitted to sign new long-term contracts. This is more or less desired, in many cases, by the producer, who finds himself in a position where he is not forced to carry the writer on the weekly payroll when not actually working.

Levinson Returns to Post with Academy

HOLLYWOOD, Jan. 23.—Major Nathan Levinson, who resigned as chairman of the technicians' branch of the Academy of M. P. Arts and Sciences, has returned to the helm. There is talk of a new policy, indicating the determination of producers to extend their support.

Looking 'Em Over

"The Constant Nymph"

(Gaumont British-Fox)

LONDON, Jan. 23.—A class picture for American class audiences. Margaret Kennedy's popular novel has been translated to the screen in a texture rich in color, subtle intimacy and flawless definition of characters. It is an artistic endeavor true to its original printed version and etched on a canvas which undoubtedly will win praise from audiences appreciative of the better type of entertainment.

"The Constant Nymph" tells the story of a Viennese composer whose international success is without selfishness and whose chalet is open at all times to his friends. When a guest runs away with one of his daughters, the affair causes a breakdown culminating in his death. Brian Aherne, another regular visitor, and Victoria Hopper, another daughter of the composer, are in love, but since the girl is so young, the budding music writer fails to take her seriously.

Aherne falls in love with and marries Mary Clare, a relative of the composer, and they leave for England when the deceased's chalet is closed up and the children sent to school. Miss Clare tries to dominate her temperamental husband who is trying to complete an opera, but soon learns that Aherne's love for her weakens to a point where the composer openly makes love in her home to Miss Hopper, who has run away from school.

Follows the night of the concert at which Aherne is to direct. Miss Hopper is forbidden to attend by her host, but she goes nevertheless. After the concert Aherne and his sweetheart run away. In a dismal hotel near Vienna, a heart ailment finds her strength weakening. A pathetic climax, heart-rending in its denouement shows the death call answered.

Basil Deane has done a real job in the direction and M. Greenbaum a handsome effort in his panoramic settings. The music by Eugene Goosenes and John Greenwood is beautiful.

The film runs 92 minutes, a trifle long for American de luxe and smaller theatres, but the time can be cut down without weakening story value.

Levine in Buffalo On His Way to West

BUFFALO, Jan. 23.—Nat Levine stopped off here today on his trip to the coast and left tonight for Chicago where he will confer with B. N. Judell, a Mascot franchise holder. He will arrive on the coast Friday.

Four series are planned for the new season. One will be with Clyde Beatty, as yet untitled, and will be released March 24 when the animal trainer opens in New York with the Barnum & Bailey show. The second will be "Burn 'Em Up Barnes," the third is untitled with Rin-Tin-Tin, Jr. and Rex, the horse, and the last has not yet been decided upon.

Houses Face Hearing Over Labor Charges

Three theatre chains and two individual houses in this territory, charged by the Theatre and Amusement Employes Union, Local 118, of retaliating against employes because of union activities will be summoned before the Regional Labor Board if they fail to reemploy those laid off and restore wage cuts, it was said yesterday by Ben Golden, executive secretary of the board. Golden did not reveal the names of the theatres involved.

V. J. Schochet Returns

Victor J. Schochet, managing director for Fox in the Argentine and Uruguay, has returned to his post after a series of conferences at the home office with Clayton Sheehan, general foreign sales manager.

Actors Push Drive For Guild Members

HOLLYWOOD, Jan. 23.—Stirred by the apparent comeback of the Academy, the Actors' Guild is making every effort to secure 100 per cent actor membership. A meeting is scheduled for Wednesday, with Ann Harding presiding, for the Junior Guild in order to increase the membership which now numbers about 500 paid up. As many more are needed before the juniors can be admitted to the parent organization. Officers will be elected.

At the first meeting of the Academy since producers decided to continue financial support it was decided to carry out the annual awards' banquet scheduled in March.

Several hundred members who lost interest are said to be returning to the fold.

MPTOA Meet April 10

Annual convention of M.P.T.O.A. will be held in Los Angeles, April 10, it is indicated on the basis of returns to date from a canvass of the organization's membership, Ed Kuykendall, president, said yesterday.

Laemmle Coming East

HOLLYWOOD, Jan. 23.—Carl Laemmle leaves for New York Monday where he will confer with several Universal foreign men. He will be there about 10 days and then return here.

A. R. Greason Buried

Funeral services for A. R. Greason, for years a member of the *Variety* staff, were held yesterday morning at Riverside Memorial Chapel. Burial was at Greenwood cemetery, Brooklyn.

The Pay-Off

(Continued from page 2)

IT took a deal of cou age, as well, for Harry Warner to what he did just about a year a with and about a well known bank whom he had asked for a million d lar loan on a three-month basis. Sa the banker, in effect:

"Why should I? You won't be business three months from today."

Twelve weeks later, Warners we but the banks were not. The Pre dent had closed them all. This w reason enough for the Warner pre dent again to communicate with t banker. The words out of his mou ran something like this:

"Three months ago, you turn down a loan and predicted we'd be o of business. Today, we're in a you're out. Let me tell you son thing. The Warner Club restaura is still functioning over here. If y ever want a meal, come on in. W be glad to take care of you."

The yarn is as delicious as it is l ing, as typical of Warner as is fighting stubbornness, as indicative his set fixation to stay in busin under his own name as is his intent of doing so.

The attitude finds enough reflect through the ranks of major exe tives in the company to keep scrappy, on its toes and going pla

KANT

Para. Receivers' Expenses Up Soo

(Continued from page 1)

$250,000 on Friday in a special ses at the Bar Ass'n. Bldg.

Opposition to payment of the all ances was voiced by attorneys for I amount Publix bondholders' gro when the receivers' petition was s mitted to Referee Henry K. D last month. Referee Davis redu the allowances from the $296,000 o inally asked, to approximately $2 000, and recommended to the c that that amount be paid. The op ing attorneys last week reque Federal Judge William Bondy, whom the petition had been assig for hearing, to withdraw from case and agreed on its being h by Federal Judge John Knox. crowded calendar of the latter resu in his assigning the hearing yeste to Judge Woolsey.

Baldwin, Buck at Am

Roger Baldwin, secretary of American Civil Liberties Union, Frank Buck, will be the prin speakers at the Ampa tomorrow the Paramount Grill. Other gu will be Ruth Etting, Walter Hu Tullio Carminati, Bert Wheeler Dorothy Lee.

Radio Branch Chang

Jules Levy, Radio sales mana reported yesterday a switch of br managers at Atlanta and Jackson made during his recent southern C. W. Allen, formerly at Atlanta, transferred to Jacksonville, and H Lyons goes from there to Atlant

ASIA'S FIERCEST JUNGLE BEASTS CLASH IN MORTAL COMBAT!!!



CLYDE E. ELLIOTT

director of

"BRING 'EM BACK ALIVE"

surpasses himself in this roaring torrent of sensational excitement!

DEVIL TIGER

eyes like balls of fire . . . fangs like murderous daggers . . . powerful, crafty, terror-inspiring . . . mad with thirst for human blood.

ACTUAL SIGHTS . . . ACTUAL SOUNDS . . . UNPARALLELED THRILLS . . . HITHERTO UNWITNESSED BY ANY LIVING MAN

DEVIL TIGER

15 TREMENDOUS THRILLS

Three lone humans...in Asia's darkest jungles . . . pitting their puny strength against a maelstrom of ferocious beasts. Snarling tigers ...breath-crushing pythons... steel-jawed crocodiles . . . lions . . . hyenas...bears...giant lizards . . . leopards . . . other animals...knowing one law; *Kill or be killed!*

REAL!!!!! GENUINE!! AUTHENTIC!

From the black heart of Asia's impenetrable jungles comes this amazing saga of beasts at death grips in the struggle for life. You hear their actual battle cries re-echo through the forest . . . sounds that haunt you for days!

THE RAVES BEGIN:

"This travel film is a pip for thrilling animal combats in the jungle. There are so many exploitation angles that IT'S A CINCH TO CORRAL THE CUSTOMERS with just a little smash. Clyde Elliott made this film in the heart of tropical Asia. IT'S A SWELL FILM AND ONE OF THE BEST OF ITS KIND."

says M. P. DAILY

CIRCUS IT FOR A SMASH CLEAN-UP!

Plaster the town with posters! Smack the newspapers with big ads! Flood the dailies with publicity! Turn your front into a jungle! Daze the town with stunts! FOR HERE YOU HAVE THE GREATEST ANIMAL SENSATION YET MADE...AN UNSTOPPABLE MOP-UP!

FOX production

Directed by

CLYDE E. ELLIOTT

director of

"BRING 'EM BACK ALIVE"

Edited by Truman Talley

Story by James O. Spearing

ASC Ratifies Wage Pact With Studios

HOLLYWOOD, Jan. 23.—Four hundred members of the A.S.C. have ratified the five-year pact negotiated with 11 major producers as well as Roach and Educational.

The agreement calls for wage scales and classifications existing prior to the studio strike. The cameramen agree to a rotating availability list for all classifications, and studio calls will be handled by a disinterested party in the association's office.

Straight overtime for contract men is anything over 16 consecutive hours, with first men rated at $12.50 per hour, seconds and still men $6.25, and assistants $3.25. The hours are to run consecutively if the men are called back to work before they have had eight hours' rest. Aerial men are to get $25 per flight, with $50 per day as a maximum.

Serious Labor Row Is Brewing in K. C.

KANSAS CITY, Mo., Jan. 23.—A serious labor situation today was seen brewing here as 40 suburban theatres continued deadlocked with the operators' unions.

An exhibitors' committee met today to hear a report from Ed Dubinsky, who conferred with Division Administrator Sol A. Rosenblatt in Washington, and to plan future procedure. Dubinsky's argument over personnel reduction is the crux of the local situation, with suburbans supporting him and new contracts being held up until the whole controversy is settled. The unions are willing to arbitrate before the regional labor board at St. Louis, but Dubinsky denies the board has the power.

A group of unemployed union operators, members of out-of-town unions, today charged the Kansas City union with driving one of their number to suicide by refusing him employment. They charged the union officials with nepotism and declared their intention of appealing to the Federal courts for local recognition. as well as to Secretary of Labor Frances Perkins, President William Green of the A. F. of L. and William Elliott of the I. A. T. S. E. The union denies the charges, asserting the men worked here temporarily during the labor shortage and that when suburbans went to a policy of one man in a booth, it had to protect its own members and felt out-of-town operators should return to their own jurisdictions.

Sees Duals Doomed

HOLLYWOOD, Jan. 23.—Ben Berinstein, who accompanied Division Administrator Sol A. Rosenblatt here, declared today dual bills are doomed under the code. He asserted 85 per cent of Southern California independent exhibitors opposed duals.

N. J. Discusses Code

Tax legislation in New Jersey and discussion of the code highlighted yesterday's meeting of Allied of New Jersey. Sidney E. Samuelson stated the unit has paid all outstanding bills and still has money in the treasury. About 40 attended.

Pizor Again Named Head of Penn MPTO

(*Continued from page* 1)

vania, Southern Jersey and Delaware at a meeting held here today.

Other officers elected were: Vice-president, Michael Egnal; treasurer, George Lessy; secretary, George Aarons; board of managers, to fill vacancies, Milton Rogasner, Ben Fertle, Joe Conway and Ed Jeffries; advisory board, Charles Goodwin, Jay Emanuel, A. B. Smith, Morris Spiers, Morris Wax, George Kline, Herb Elliott, I. Z. Hirschblond, Charles Segal, Sam Somerson, John Bagley, Elliott Goldman, Si Myers, Luke Gring, Norman Lewis, Jack Brown, I. Borowsky, Fred Leopold and Dave Milgrim.

The meeting went on record as opposed to United Artists' sales policy on "Roman Scandals," but favored conferences with the company.

Members were urged to sign the code without qualification and it was decided to cooperate on the President's birthday ball Saturday night.

Division Administrator Sol. A. Rosenblatt's ruling on the 10 per cent cancellation clause was greeted with enthusiasm.

Jersey Sales Tax Up

TRENTON, N. J., Jan. 23.—The two per cent retail sales tax bill sponsored by Assemblyman W. Stanley Naughright came before the Assembly today.

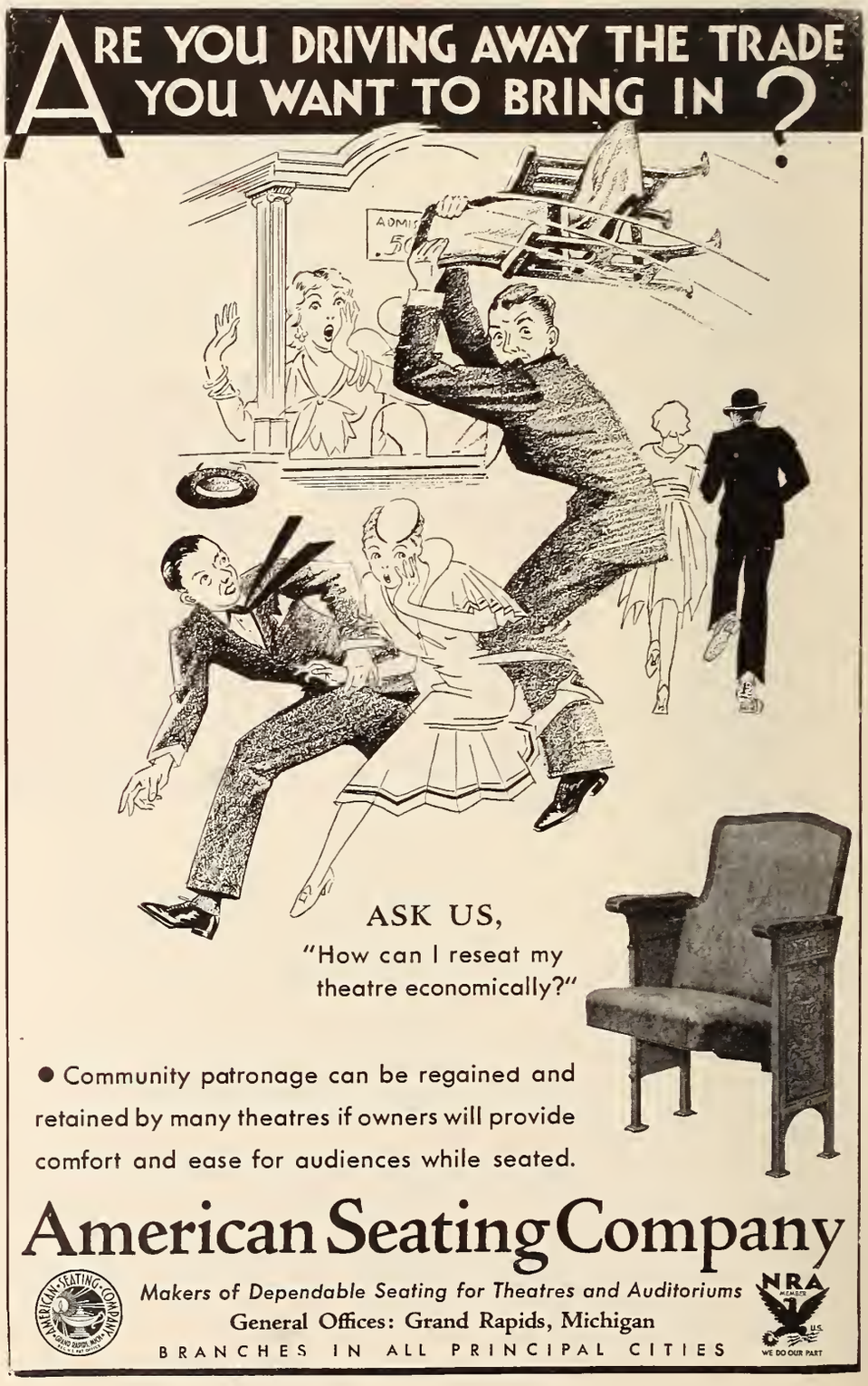
Manitoba's Censor, Ill, Resigns Pos

TORONTO, Jan. 23.—T. A. D. Bevington, film censor of the Province o Manitoba, resigned today at Winnipe because of ill health. The board i to be reorganized immediately.

This may have an effect on censor ing in Saskatchewan, as the censor fo this province has been in the habit o sitting with the Manitoba censors a Winnipeg to pass upon films simu taneously.

Grainger Set on Two

HOLLYWOOD, Jan. 23.—Edmun Grainger, associate producer at Un versal, has been assigned "Alias th Deacon" and "Left Bank."



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MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

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New Theatre Wage Scales Up Next Week

ushers, $18; Others at $24; Janitors, $30

New wage scale contracts prepared Local 118, Building Service Employes Union, which Charles C. Levey, retary-treasurer of the local, said uld "knock exhibitors cold," have n completed for ushers, doormen, hiers, ticket takers, cleaners and itors and will be submitted to cir- t operators here within the next ek.

The new wage scales prescribe $18 week for ushers and $24 per week

(Continued on page 3)

anuck Tells How He Hires Players

HOLLYWOOD, Jan. 24.—After a two- ur closed door conference Darryl nuck emerged stating that he had nt an unusually interesting eve- g discussing all phases of produc- n with Division Administrator Sol Rosenblatt.

Rosenblatt did not bring up star ding until he himself had done so,

(Continued on page 3)

ermody Named "U" N. E. District Head

. P. Dermody has been named New gland district sales manager for iversal, by James R. Grainger, gen- l sales manager.

Dermody's headquarters will be in ston and his territory will include Albany exchange as well as New gland.

iller Continues Chicago's Mystery

CHICAGO, Jan. 24.—Mystery contin- to surround the alleged payment large sums by Jack Miller to Tom

(Continued on page 6)

Chasing Depression

Close on the heels of returning salary cuts to its employes, United Artists will add between 10 to 12 men to the selling force within the next few weeks.

Revamping of M. P. Club May Hold Members to 130

A reorganization of the M. P. Club, holding membership to a maximum of perhaps 130, eliminating deadwood members and adding to the new roster topline executives under a plan which Louis Nizer has been developing through the Hays organization, loomed yesterday as the club's way out of a morass of indifferent support by the local industry.

Actual reorganization plans are to be furthered by a committee, the personnel of which President Lee A. Ochs had not named yesterday. One definite decision arising out of a meeting of the membership yesterday, however, was to construct a bar. Work on it has started.

Say Midwest Will Get Two Para. Houses

KANSAS CITY, Jan. 24.—Fox Midwest is to take over the Paramount in Springfield, Mo., and the Paramount in Joplin, Mo., under a deal effective Feb. 1, according to reports. While Elmer C. Rhoden, Fox Midwest division manager, says negotiations begun several months ago are still in progress, film circles here credit the reports as true.

Consummation of the deal will give Fox Midwest virtually a clear first run field in both towns, where Fox has opposition houses. Both towns are considered overseated, and when Ed Dubinsky was in charge of Publix operations in this territory, he sought a

(Continued on page 6)

Report Pact Set In Midland Suit

KANSAS CITY, Jan. 24.—Decision has virtually been reached on an out of court settlement of the suit by Kansas City stockholders against the Midland Investment Co., holding company of the properties housing the Midland Theatre and the adjacent Midland office building here, according to I. J. Ringolsky, attorney for the plaintiffs.

Suit was filed by M. B. Shanberg, Herbert M. Woolf and F. H. Reid,

(Continued on page 6)

Cut in Educational One-Reelers Talked

Reduction of the number of Educational one-reelers was discussed this week at a meeting of Fox-Educational sales executives at the Fox home office. John D. Clark, general sales

(Continued on page 6)

Para.'s New Setup Passed By Partners

Creation of Paramount's national theatre advisory committee of six, in addition to Paramount Theatres Service Corp., the home office company organized to assist with theatre operations, is being hailed with enthusiasm by operating partners in the field, Sam Dembow, Jr., reported yesterday, following a recent meeting at New Orleans.

The Paramount theatre operating setup is likened to the American plan of government, Dembow pointed out; with operating partners in the field corresponding to the several states, each with its sovereign local rights and powers; the advisory committee

(Continued on page 6)

Allied Directors Draw Secrecy Veil

Allied States directors gathered early yesterday behind closed doors of a parlor suite high up in the comfortable Warwick Hotel and discussed subjects of a nature too confidential for comment by those present.

"Nothing to say now," said Abram F. Myers, chairman of the board, when queried late in the day. "The meeting will probably last another day and there may be a statement when

(Continued on page 3)

Californians Seek Questions on Duals

SAN FRANCISCO, Jan. 24.—Issuance of a general questionnaire on dual bills, uniform price scales and giveaways by the clearance and zoning boards as soon as they are appointed

(Continued on page 3)

Plan to Have Boards Named By 9th of Feb.

Selective Step Will Get Started Tomorrow

Announcements of the official personnel for the 32 clearance and zoning and grievance boards are expected to be made by the Code Authority on Feb. 9, following the fourth session of the body.

Selection of names starts tomorrow by the committee comprising S. R. Kent, Charles L. O'Reilly, George J. Schaefer, W. Ray Johnston, Nathan Yamins and Ed Kuykendall. Since all choices must be checked against the assents arriving at the authority, the committee will not be in a position to make final selections until all compliances are in. Final date for signing the code forms is midnight Jan. 31, but

(Continued on page 3)

Authority Moves to New Offices Feb. 13

The Code Authority will be definitely set up in its permanent quarters on the 23rd floor in the RKO Bldg. on Feb. 13. Temporary offices for the past few weeks have been made at the Paramount home office in the Paramount Bldg. The fourth authority session will not be held in the new quarters, since it is slated to be held four days before moving.

Committee of 10 to Probe Vaude Agents

R. H. Cochrane, chairman of the third Code Authority meeting, yesterday named a special committee of 10 to investigate protests of vaude-

(Continued on page 3)

Missouri's Tax May Not Hit Film Rents

KANSAS CITY, Jan. 24.—An unofficial ruling from state officials is to the effect film rentals will not be subject

(Continued on page 6)

Social Note

Miami, Jan. 24.—Vacationists here, at one and the same time: M. H. Aylesworth and Roxy.

Both are playing golf, but whether over the same course or together is not known.

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Cohn on Quick Trip

Jack Cohn, vice-president of Columbia, left for Hollywood yesterday by train and air. He will be on the coast only four days and then return east. The purpose is to discuss current and future production with Harry Cohn, president and brother.

Gets All-Indian Film

"Before the White Man Came," an all-Indian cast picture, will be distributed by Astor Pictures in all territories west of the Mississippi and in the south. Robert Savini closed for the picture with Industrial Film Corp.

'Wonder Bar' Opening Set

"Wonder Bar" will have its world premiere at the Broadway Theatre around Feb. 22.

Book "Ben and Bud"

Astor Pictures have booked the 13 "Ben and Bud" westerns into 32 local Skouras houses.

Insiders' Outlook

THAT Radio trek to the Coast. One RKO-ite says: "McDonough went west to play some golf. McCausland went along to keep McDonough from going Hollywood. Depinet took his wife to California." Ordinarily, what precedes would make the social column. Actually, McDonough went west because he has never seen the studios of the company of which he is general manager. McCausland, representing the receivers, who are Irving Trust, has much to do there. Depinet, as the V. P. in charge of sales, has to begin thinking about 1934-35, which isn't so far off now. Speculatively, McDonough went west on a plan which would give the sales department more of a say on types of pictures made on the theory that the factory in any business ought to turn out, not what it wants, but what the sales force thinks it can sell. McCausland went west to back up McDonough and Depinet to back up both of them. We'll see. In the meantime, the studio is in somewhat of a dither. . . .

▼

Also of the moment and of some moment is Merian C. Cooper, whose contract runs out in a couple of weeks. The new producer-in-charge is reputed to favor a unit for himself with a commitment of a few pictures a year, not the entire program. The fact that Radio only the other day went to a unit system, presumably the real thing this time, would tend to bear out his sentiments in the matter. If some reports are to be credited seriously, there is in the offing, too, conferences between McDonough on the one side and Ben Kahane and Ernest Schoedsack on the other. Those talks are apt to be extremely interesting. . . .

▼

Harold S. Bareford became Harry M. Warner's alternate on Code Authority because (1) of his familiarity with code deliberations and (2) because his duties in the Warner legal department regularly have to do with problems in distribution, which means contracts, et al. Abel Cary Thomas, head of the company's lawyer battery, spends practically all of his time on the Western Electric action, now getting old rapidly. Stanleigh Friedman, partner in Thomas & Friedman, handles much of the personal business of Brothers Harry, Albert and Jack. Joe Hazen's job principally concerns patents abroad and detail involving theatre operation all over the land. Bareford and Hazen, incidentally, also are members of the firm of Thomas & Friedman. Bob Perkins, former First National (original) legal light, rounds out the principals in the quintet. . . .

▼

Allied of New Jersey has set up its own method of filing grievances for ultimate airing before the local board provided for under the code. After each weekly meeting, the members are asked to deposit their griefs, whether real or imaginary, in a ballot box. When the board is set up and functioning, the box and its contents will be turned over to the board secretary for disposal. . . . David Sarnoff's election to the board of the Metropolitan is responsible for persistent reports the opera eventually will find a hatrack on 6th Avenue. Probably the Center, if at all. . . .

▼

Little excitement prevails over the NRA questionnaire on salaries, bonuses and relatives. While the elaborate and detailed forms prepared for the purpose go into considerable detail and even cross check by designating individuals with numbers so that the master sheet, once divorced from other tabulations, will fail to reveal the dope by individual names, those who are more careful in their scrutiny realize the data ordered is already in Government hands. The income tax route is the answer. Corporations report individual salaries and earning power in order to cut their own assessments as far as possible and the result of it all is that the figures are available, anyway. . . .

▼

Hal Horne rates a bow for that striking trade paper campaign on Anna Sten. Introducing new personalities is never an easy job. Sten's picture, "Nana," and its engagement at the Music Hall, soon now, got under way in local newspapers yesterday. Sam Goldwyn has agreed to spend 35 G's and RKO a round dozen. At a $47,000 total, this marks one of the most extensive splurges in some time. . . . Sam Katz apparently is emerging from semi-retirement; his name is fig-

(*Continued on page 7*)

"Hi, Nellie"
TWO LITTLE WORDS THAT MEAN A GOLD MINE FROM WARNER BROS.

Spot News from Columbia



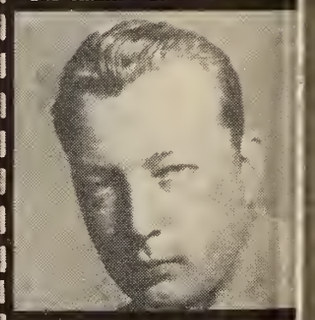
Frank Borzage achieves greate fame with the great emotiona triumph, "NO GREATE GLORY," based on Ferenc Mo nar's world famous novel.



Frank Capra produced one of th ten best pictures of 1933, "Lad For A Day." It's a cinch he'll equa that record with CLARK GABL and CLAUDETTE COLBERT i "It Happened One Night."



Howard Hawks is preparing an other box-office onslaught—JOHN BARRYMORE in "20th Century" with Carole Lombard, from th Broadway success by Ben Hech and Charles MacArthur.



Lewis Milestone reaches his mos important milestone in picture his tory with "RED SQUARE" whic Laurence Stallings adapted. Now in the production stage.

Plan to Have Boards Named By 9th of Feb.

(Continued from page 1)

se postmarked before this time and riving from the far west after the st of next month will hold up publizing the appointees.

With the final code approvals exted about Feb. 4, this will give the thority five days in which to check selections before the next author- session. No one will be appointed the posts in the 32 key cities unless assent is on the record in the offil files.

Division Administrator Sol A. Roblatt will be at the Feb. 9 session d undoubtedly will sanction the mmittees approved by the author-

Denver Girls Fight That Code Day Off

DENVER, Jan. 24.—A protest over ng made to take a day off during week has been made by the line ls at the Orpheum and Tabor to vision Administrator Sol A. Rosentt. They claim it would cause them work harder on other days as they uld be forced to work in different ts on the line, and they would be vous wrecks by the end of the ek.

Harry Huffman, who controls the atres, has protested the increase in for the girls. The boost at the bor is from $15 and $18 to $25. e boost at the Orpheum would not so much, the code ordering $30. ey are now being paid $25 and $30. uffman has indicated that if no adtment is made, the stage shows may out at the Tabor. Notice has been sted and the girls are working on a ek to week basis.

Committee of 10 to Probe Vaude Agents

(Continued from page 1)

le agents. The group meets at 2 M. today at the Astor.

Appointed were: E. A. Schiller, ew's; Sam Dembow, Jr., Publix; slie Thompson, RKO; Joseph rnhard, Warners; George Skouras, ouras; Jack Partington, F. & M.; rry Chesterfield, NVA; Ralph hitehead, Actors Betterment Assn.; arles B. Maddock and Marty Forıs, vaudeville producers.

Meet on Fire Rules For 'Changes Today

nitial meeting of the committee on regulations for exchanges will be d today at the temporary headquarrs of the Code Authority in the ramount Bldg. Attending will be Ray Johnston, George J. Schaefand J. S. MacLeod. The last ned is substituting for Felix F. ist, who is enroute to the coast.

ITOA to Endorse Code

Endorsement of the code will be de by the ITOA at its next meet-, Jan. 31. Due to absence of Harry andt, president, who is in Miami on vacation, yesterday's meeting was led off.

Zanuck Tells How He Hires Players

(Continued from page 1)

Zanuck explained. He said he had explained his method of employing talent to Rosenblatt and told him that he and Joseph M. Schenck had adopted their own code even before the industry code had been adopted by never negotiating with any employe prior to 40 days before the expiration of his contract.

Rosenblatt made no comment on this, Zanuck said.

Harold Hurd, cameraman, also conferred with Rosenblatt and was overheard to say: "All I am interested in is finding work for 500 cameramen."

Hurd also said that he had asked Rosenblatt why a promise made in a letter from him to include a clause in the code for limitation of hours was not kept. This clause called for a six-hour day and a 36-hour week with overtime. Rosenblatt would not comment, Hurd said, but promised a later meeting for a discussion of the matter.

Rosenblatt Visits More Coast Studios

HOLLYWOOD, Jan. 24.—Division Administrator Sol A. Rosenblatt today visited Educational, Monogram, Metropolitan, Universal and Warners. He had a long talk with Trem Carr regarding the independent situation. Most of the conferences with producers revolved around star raiding, with all of them admitting its existence, it is said. Agents and others were also said to have admitted its prevalence.

Rosenblatt also discussed production costs, which he said exhibitors are vitally interested in. He asserted high costs keep down the standard of production by making it impossible for the smaller producer to compete with the majors.

Rosenblatt meets the extras' group and the Screen Writers' Guild tomorrow.

Smith to Ask for Change in Minimum

HOLLYWOOD, Jan. 24.—When Harold Smith meets Division Administrator Sol A. Rosenblatt in behalf of sound men's Local 695, he will ask him to change the minimum wages for all sound men now existing under the I. B. E. W. studio basic agreement, which sets one level for all classifications, while under the I. A. T. S. E. agreement with independent producers there is a minimum for each of four classifications. Smith will also ask for right to collective bargaining on the ground that the victory of the I. A. T. S. E. in the recent polling gives the latter the power of representation for all, despite the basic agreement.

Californians Seek Questions on Duals

(Continued from page 1)

is sought by the Independent Theatre Owners' Ass'n. A resolution to this effect has been adopted at a meeting here.

The association's membership is confined to northern California.

New Theatre Wage Scales Up Next Week

(Continued from page 1)

for all other employe classifications involved, with the exception of head janitors, for whom a weekly wage of $30 is asked. All scales are on the basis of a 40-hour week. At present, the unskilled labor involved is being paid for the most part the 30-cents an hour minimum prescribed by the code, although several circuits are paying from $10 to $15 per week. The new wage scale represents an application for an average increase of approximately 60 per cent.

It was learned, however, that the scales will be presented to exhibitors merely as the basis for collective bargaining for permanent new scales which, if successfully negotiated, are likely to be in every instance midway between the scales now in existence and those prescribed in the local's new contracts.

Motion Picture Herald estimates on the basis of 11,200 theatre employes in the Greater New York area who may ultimately be affected by the new wage scales, the local's schedule represents an application for wage increases which would cost New York exhibitors $6,988,800 annually.

Allied Directors Draw Secrecy Veil

(Continued from page 1)

it's over," he added. He declined to state whether a new slate of officers would be elected during the session. Terms of the present incumbents are about to expire.

Closeted with Myers were W. A. Steffes, H. M. Richey, J. C. Ritter, Allied president; Nathan Yamins, Sidney Samuelson and Fred Herrington. Several floors below in the same hotel, but occupying a much less pretentious suite which was open to representatives of the press during the day were Mr. and Mrs. Lionel Barrymore.

No Chicago Meeting

CHICAGO, Jan. 24.—No Allied meeting is scheduled here today. Aaron Saperstein left yesterday for New York to attend the session of Allied directors there.

Cohen After Houses

Having taken over the Apollo in Harlem, Sydney S. Cohen is reported negotiating for a number of colored houses in the same vicinity.

Jolson Coming East

HOLLYWOOD, Jan. 24.—Al Jolson leaves for New York Thursday to resume his radio work on the Old Gold program.

Schenck, Kelly Return

Joseph M. Schenck and Arthur W. Kelly arrive today from Southampton on the *Europa*.

Neilson Ampa Chairman

Rutgers Neilson will be chairman of the Ampa meeting today at the Paramount Grill. It's RKO Day.

Purely Personal

AT BILLY LA HIFF'S Tavern yesterday when the noon feed-bag was put on:

JACK COHN, NATE BURKAN, CHARLIE SCHWARTZ and NAT SPINGOLD — together. SPYROS SKOURAS and AL LICHTMAN, in a corner and also together. BILL ROWLAND and BEN STOLOFF, and JOE SCHNITZER and SAM SPRING, more twosomes. Also, but not necessarily in one party: ABE MONTAGUE, ABE SCHNEIDER, JOE PLUNKETT, AMEDEE J. VAN BEUREN, SAM JACOBSON, BOB WOLFF, A. H. SCHWARTZ, HARRY THOMAS, JEANNE COHEN, LOU GOLDER, DICK WALLACE, JESS SMITH.

LESTER ZIMMERMAN, formerly in the Fox Brooklyn theatre publicity department, has joined BERT NEVINS' publicity office.

BOB GILLHAM is due back from the coast today. He had been expected earlier, but he stopped off in Kansas City to visit relatives.

J. G. BACHMANN yesterday left his bed for his first walk since he took ill three weeks ago. He and MRS. BACHMANN depart for the coast today.

BEULAH STEINMAN, daughter of JACK STEINMAN, yesterday graduated from Hunter College with high honors.

FAY BAINTER has returned from Hollywood where she made her picture debut with M-G-M.

EDGAR SELWYN, M-G-M director, is in New York looking for new story material.

MIRIAM HOPKINS will start a week's personal appearance engagement at the Paramount tomorrow.

SIDNEY KENT is wearing a bandage. It indicates where a minor operation was performed.

HARRY STEPHEN KEELER's mystery, "Sing Sing Nights," has been purchased by Monogram.

BERNARD DE VOTO's story, "One Part Cheese Cloth," has been optioned by M-G-M.

BEN ABNER, N. J. salesman for M-G-M, is temporarily working out of the Washington exchange.

RICARDO CORTEZ and his bride are due in New York today by plane for a honeymoon.

SIMON FABIAN returns from his Miami vacation on Monday.

ABE MONTAGUE leaves for Chicago tomorrow.

M. B. HORWITZ, Cleveland independent exhibitor, is in town.

MAURICE REVNES is in town from Hollywood.

HARRY C. ARTHUR is expected back from St. Louis today.

CLAYT BOND is over his cold and feels chipper once again.



CAMPAIGN BOOK

Eskimo

W. S. Van DYKE'S PRODUCTION

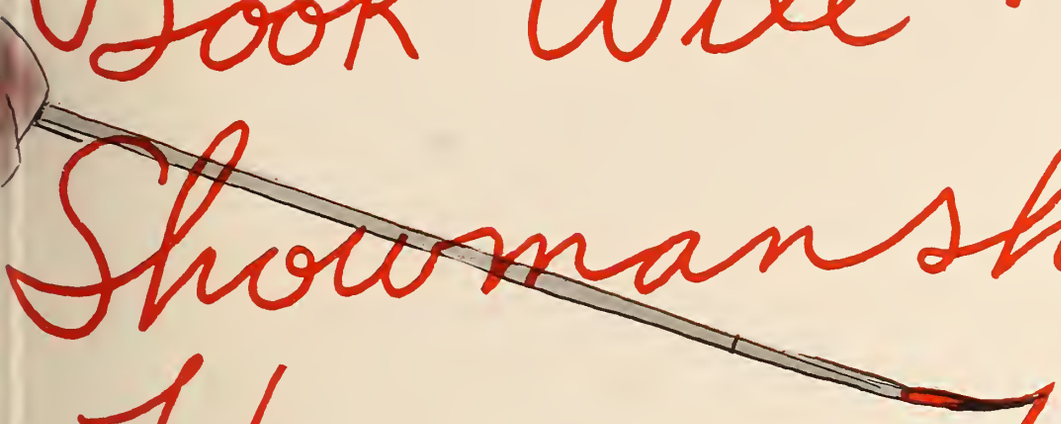
WIFE TRADERS

GET IT AT YOUR M-G-M EXCHANGE TODAY!

Above is Reproduction of Jumbo Window Card available at your M. G. M. Exchange.

The Biggest and Most Practical Campaign Book Ever Made. It is 32 inches high and 24 inches wide. Every inch crammed with Showmanship!

This Giant Press Book Will Make Showmanship History



★ REPRODUCING 9 CITIES' FULL CAMPAIGNS!

Box-office history was made in Atlanta, Richmond, Norfolk, Miami and five other pre-release "Eskimo" engagements. The press book gives photos, facts and figures that will help you get the same thrilling results.

★ 30 BIG NATIONAL "ESKIMO" TIE-UPS!

Special window cards, streamers, banners, etc., available for marvelous merchant tie-ups on Lipton's Tea, Norge Refrigerator, Remington Typewriter, Lucky Strike, Atwater Kent, Eskimo Pie and 22 more equally big.

★ 15 SMASHING ADVERTISING PAGES!

Thrill ads successfully used in pre-release engagements. The greatest variety, covering every angle of this epic picture, including "Strange Moral Code of Eskimo." FULL PAGE CO-OP. ADVERTISING lay-out.

★ NEWSPAPER SERIAL, RADIO, PRESS SECTION!

"Eskimo" serial story in 12 nerve-tingling, illustrated chapters. Also newspaper cartoon strips. Complete Radio Thrill Continuity. Full-page Educational Plan. Publicity covers every conceivable angle of picture.

★ ADDED ACCESSORIES IN FULL COLORS!

Giant Pictorial cut-out letters, combination marquee hangers and door-knob novelties, Circus Heralds. Jumbo Display Cards. And 100 other exploitation devices in addition to full line of posters and accessories.

★ P. S. THEY GOT THE BUSINESS!

Para.'s New Setup Passed By Partners

(*Continued from page* 1)

of six corresponding to congressmen representing the operating partners at the seat of national activities in New York. Members of the advisory committee are selected by all of the operating partners in each of six national territories.

This administrative setup is regarded as ideal by the operating partners, who, Dembow said, see its functioning as a definite guarantee of their local autonomy with provisions for all the essential contacts with the home office.

Miller Continues Chicago's Mystery

(*Continued from page* 1)

Maloy in the investigation of the latter's income tax.

Called again before Federal Judge Barnes and with a contempt action threatened, Miller again testified today that he had paid $97,000 to a Mr. Nichols, or it might have been Nicholas, to secure the elimination of fader men from theatres.

Special Assistant Attorney General Leslie Salter is trying to prove Nichols, or Nicholas, is a fictitious person and this payment reached Maloy's pocket and did not appear in his income tax return. The Government refuses to believe anyone but Maloy could wield enough power in union affairs to secure what Miller wanted.

Miller's testimony revealed a $5,000 cash payment to the Democratic party in the late Mayor Cermak's campaign for alleged support in securing the defeat of the two-operator bill in the state legislature. Miller also mentioned four labor leaders, now dead, as having received payments. In addition, Miller mentioned an offer from the mysterious Nichols, or Nicholas, to "sell him the whole operators' union for $500,000."

Ohio's Groups Fail To Agree About Tax

CLEVELAND, Jan. 24.—So far nothing has come out of efforts to unite all exhibitor factions on a campaign to fight the amusement tax.

P. J. Wood, business manager of the M.P.T.O., has conferred with M. B. Horowitz and Nat Charnas and they are planning to meet again soon.

Missouri's Tax May Not Hit Film Rents

(*Continued from page* 1)

to the one-half of one per cent sales tax recently passed by the Missouri legislature. The tax is effective on retail sales and numerous services, including theatre admissions. The opinion was obtained by Arthur Cole, secretary of the Kansas City Film Board.

Postpone P-P Meet

A meeting of Paramount Publix creditors scheduled for yesterday before Henry K. Davis, referee in bankruptcy, was postponed to Jan. 31.

Looking 'Em Over

"Hell on Earth"

(*Aeolian*)

Though frankly a preachment against war and done with sombre Russian concentration on a central theme without conventional romantic angles, this is a remarkable film. Its sponsors intend to sell it as straight entertainment in this country and to use the endorsements of a variety of peace organizations simply as incidental exploitation support.

Leonhard Frank, author, living in England, had the idea for the story, and Victor Trivas, a Russian, directed it—in three countries, England, France and Germany.

It is the story of five men who meet in No Man's Land in the heat of battle, struggle for a few moments, calm down, and, surprised, find they have no individual hates. Smoke rising from their battered cook stove at the end of the battle draws fire from both sides. When it stops they march out toward unseen trenches, leaving the audience to wonder whether it is life or death.

It is an amazing way of focussing all the vast tangle of international rivalries and hates and struggles on individuals and slowly building each scene to an individual climax.

Some of the technique is astonishingly effective. The German leaves his family in a disconsolate mood. As he walks with the crowd toward his concentration camp the tempo speeds up to the measured tread of a march. A contemplative Englishman becomes a fighter through a delicate pictorial transition, the Frenchman progresses from a street car flirtation to a drill, an American negro vaudeville actor becomes an heroic figure when he rescues the Englishman, and lapses into his role as an entertainer in the dugout. As he plays softly on a harmonica, the Englishman, the German and the Frenchman join in the song, each in his own language, and the music swells into a symphonic accompaniment as the scene fades into a war panorama.

It might catch on with audiences generally. It has some remarkably gripping qualities. Even if it doesn't, certainly the film has a powerful appeal for peace advocates and so-called arty groups.

JERRAULD

"Yes, Mr. Brown"

(*U.A.-British and Dominions*)

"Yes, Mr. Brown," an English production from the studio of British and Dominions, is a smart comedy with musical interludes. It is light and breezy and provides plenty of fun. Brightly produced, it ought to please maturer tastes. Unlike many a British production, this one is not handicapped by exaggerated mannerisms of speech and the personality of Jack Buchanan is definitely an asset. His touch is gay and frivolous.

The story itself matters not. As Buchanan is about to entertain his boss from America (the tale is laid in Vienna), his wife (Margot Grahame) walks out on him in an argument over their dog. For the sake of appearances he gets his secretary (Elsie Randolph) to pose as the missus. When the wife, her tantrums over, steals back to the apartment, an embarrassing situation is avoided by pretending she is Buchanan's secretary. Then follows a round of gaiety during which the boss (Hartley Power) falls in love with Miss Randolph. True identities are revealed in the end and everything turns out right.

The cast is top-notch and the direction of Herbert Wilcox competent. Good sophisticated entertainment, this.

"Woman Unafraid"

(*Goldsmith Prod.-State Rights*)

Considered from the viewpoint of the subsequent run theatre's requirements, this Ken Goldsmith production has exceptional values to recommend it. Cast, story, direction and settings merit attention and contribute to a good program picture which holds audience interest throughout and achieves sequences of genuine suspense.

The story is that of a kindly, understanding policewoman, played by Lucile Gleason, and of the girls she befriends after they have, for one reason or another, been brought to the attention of the police. Her friendships cost Miss Gleason a suspension from the force, but following her solution of the murder of one of the girls she had befriended and the resultant capture of the elusive head of a vice ring, she is reinstated by her chief. A romantic thread is carried through the picture by Lona Andre, one of the policewoman's wards, and Skeets Gallagher, a playboy habitue of the dance halls watched over by Miss Gleason. Action lags in spots and again reaches a satisfactory pace.

In addition to those named, the cast also includes Barbara Weeks, Warren Hymer and Jason Robards.

(*Additional review on page* 8)

Say Midwest Will Get Two Para. House

(*Continued from page* 1)

pooling arrangement with Fox wi never materialized.

The Paramount theatres are ow by Grubel Bros. of Kansas City, K which have some $3,000,000 in cla involved in the Publix Enterpr bankruptcy. That amount repres rentals on a balance of 16 years ba on 20-year leases covering the Spri field and Joplin houses and the E tric in Kansas City, Kan.

Following the Publix bankrup the Grubels served notice on Pul to vacate, as they were averse to h ing a receiver operate their propert according to Ed Grubel. The Grub with A. F. Baker, have been in cha since last April.

Report Pact Set In Midland Su

(*Continued from page* 1)

equal partners with Loew's in the vestment company. Among ot things, they asked for distribution $225,000 allegedly available as d dends, checking up of the lease Loew's Midland to determine whet all conditions had been fulfilled the setting up of a local office for investment company.

In bringing the action in the cir court, Shanberg and the others as for a temporary receiver to be pointed pending adjudication of charges. The receivership hear was postponed on request of attorn for Loew's to permit officials of company to come to Kansas City testify.

That a settlement has been un consideration for some time is i cated by repeated postponements the hearing since last November.

Loew's Price Boost Stops Memphis Ro

MEMPHIS, Jan. 24.—The long p war here has been ended by a bc in Loew scales at the State and P ace from 15c-25c-30c to 25c-40c.

Protests by subsequent runs led M. A. Lightman, head of the M.P.T of Arkansas, Mississippi and Tenn see, finally led to negotiations w Col. E. A. Schiller of Loew's in N York.

Loew's has made no announcem regarding the permanency of the r scale, but it is understood that it stay fixed.

Cut in Educational One-Reelers Talk

(*Continued from page* 1)

manager of Fox; E. W. Hamm president of Educational, and J Skirball of Educational were prese

Under a mutual consent arran ment Fox Movietone News is cont uting two series this year—the Ma Carpets and Adventures of a News Cameraman.

antor Leads n Cleveland With $11,000

LEVELAND, Jan. 24.—"Roman Scan-" headed the list of popular attrac-s last week, grossing $11,000 at w's State. "As Husbands Go," ›led with a condensed stage ver- of "Artists and Models," won sec- place, with an $18,000 gross at RKO Palace. Warner's Hippo- ne came third with "Let's Fall in e."

otal first run business was $42,500. rage is $42,500.

stimated takings for the week end- Jan. 19:

"BLOOD MONEY" (U. A.)
LEN — (3,300), 20c-30c-40c, 7 days. s: $2,800. (Average, $3,000)

'LET'S FALL IN LOVE" (Col.)
ARNER'S HIPPODROME—(3,800), 30c-44c, 7 days. **Gross:** $4,700. (Average, 0.)

"I WAS A SPY" (Fox)
ARNER'S LAKE—(800), 25c-35c, 7 .. **Gross:** $2,000. Average, $2,500)

"AS HUSBANDS GO" (Fox)
O PALACE—(3,100), 30c-40c-60c-75c, 7 Stage: "Artists and Models." **Gross:** 00. (Average, $18,000.)

"ROMAN SCANDALS" (U. A.)
EW'S STATE—(3,400), 30c-35c-44c, 7 . **Gross:** $11,000. (Average, $10,000.)

"HIS DOUBLE LIFE" (Para.)
"SMOKY" (Fox)
ILLMAN — (1,900), 25c-35c, 7 days. s: $4,000. (Average, $4,000.)

irty Indies Discuss New IMPPA Plans

OLLYWOOD, Jan. 24.—Thirty inde- lents have discussed strengthening I. M. P. P. A. or merging with Federation of the M. P. Industry the new organization to be vested the power to handle code matters the smaller producers. Decision be made at a meeting Monday t. I. E. Chadwick, Trem Carr Sam Wolf have been appointed ommittee temporarily to handle problems.

urt Gets F. & M. Bid

r. Louis, Jan. 24.—F. & M.'s for the Fox was submitted to uit Judge O'Neill Ryan today he receivers. It will probably be pted or turned down by the court orrow. It provides for a weekly nent of $1,350 for ground rent, s and insurance, F. & M. paying perating expenses, with profits to plit equally.

scuss Academy Plans

OLLYWOOD, Jan. 24.—A committee isting of Irving Thalberg, King r. Lewis Stone and Howard n conferred with J. T. Reed, head ie Academy of M. P. Arts and ices today on future plans for the emy. Reed, despite reports he is ning, pledged renewed support. rts on the work will be made ay.

nuck to Cease May 1

LLYWOOD, Jan. 24.—Darryl Za will call a halt in production for weeks beginning May 1. The films remaining on his schedule be finished by March 31. With family and the Bill Goetzes he go on a seven weeks' vacation to pe on May 1.

Barter?

According to Louis Sobol, "The Private Life of Henry VIII" is being shown in every country in the world—except Russia. Russia, it appears, offered a trade deal—it was willing to give a consignment of caviar, leather or vodka in exchange! No deal was made.

CWA Cutting Down Ohio Relief Rolls

TOLEDO, O., Jan. 24.—This city anticipates practical elimination of its relief problem at an early date, with the allocation of CWA jobs. So far relief lists have been reduced from 17,000 to 8,000, and a further reduction of substantial proportions is expected soon.

The Cincinnati payroll record to CWA workers has passed the $1,000,000 mark. A total of 75,000 checks has been issued since inauguration of the CWA program. This represents 1,770,441 man-hours of labor, at an average hourly rate of 56½ cents, and a weekly average wage of $16.95 based on a 30-hour week.

Another favorable straw in the economic wind is the restoration of a $50 yearly cut granted to 3,750 Cincinnati employes.

ASC Names Code Group

HOLLYWOOD, Jan. 24.—A. S. C. has named a committee of five to represent it in code matters. It consists of Victor Miller, Fred Jackman, James Van Trees, George Schneiderman and John Arnold, with Arthur Miller alternate. Seventy-five new applications for membership have been submitted.

Denver Operators Elect

DENVER, Jan. 24. — The operators union has elected the following officers for this year: Ralph E. Sturdevant, president; Harold M. LeHew, vice-president; Edward A. Roegner, financial secretary; R. E. Waller, corresponding secretary, and Allen E. Wilson, business agent.

New House for Balto.

BALTIMORE, Jan. 24.—Another colored house will be built on Pennsylvania avenue here between the Royal and the Regent by Ike and Simon Gornstein, owners of the latter playhouse. It will be called the Diana and will seat about 600.

Gores After Frisco House

SAN FRANCISCO, Jan. 24.—The Embassy is again on the market block. Closed recently by F. W. C., the house is now reported on the way to the Gore Brothers of Los Angeles. They looked over the house last week.

Firnkoess With Warners

WASHINGTON, Jan. 24.—John Firnkoess has joined the Warner circuit headquarters here as district manager for Virginia and Maryland. He was formerly division manager for RKO in Ohio.

"Knife of Party" Ready

"Knife of the Party," co-starring Lillian Miles and Jack Good, has just been completed by the Meyer Davis-Van Beuren unit. It is set for release in RKO houses.

Anti-Billboard Bill Comes Up at Albany

ALBANY, Jan. 24.—Both houses here today had before them for consideration measures that would prohibit erection of billboards and signs within 500-feet of the border of any state park or parkway except under written permission of the Regional State Park Commission.

Signs for business conducted on the property would be permissible on buildings only if not more than 24 feet square and at least 15 feet from the ground. Senator John J. McNaboe (D) and Assemblyman E. W. Bentley (R) introduced the bill.

A similar effort met defeat last year.

Fox Picks Connolly For Role as "Chan"

HOLLYWOOD, Jan. 24.—Fox has borrowed Walter Connolly from Columbia for the top spot in the first of a series of three "Charlie Chan" mystery films. Seton I. Miller is writing the screen play, which will go into production under the title of "Charlie Chan's Challenge." John Stone will produce.

Spotting Connolly in the role of Chan, formerly portrayed by Warner Oland, is in line with the studio's plan to line up an entirely new cast for the mystery thrillers.

Fox Drops Players

HOLLYWOOD, Jan. 24.—Options on the contracts of Florence Desmond and Dixie Frances have been dropped at Fox.

Other names dropped within the past few weeks include Frank Morgan and George O'Brien.

HOLLYWOOD, Jan. 24.—Paramount has exercised options on Sir Guy Standing, Ida Lupino and Mitchell Leisen.

Rialto Gets First Fox

Dating of "Devil Tiger" into the Rialto marks the initial Fox picture for the current season to be booked away from the Music Hall and Roxy, which have first call on the company's output. Arthur Mayer will probably date the animal film after "The Ghoul." The Fox deal is for one picture only.

Fox Apollo, K. C., Dark

KANSAS CITY, Jan. 24.—The Fox Apollo, which has been operating as a first run, has folded and may be reopened if suitable product is found. A suburban house, the Apollo did not show a profit during most of its first run operation.

Pick Will Rogers' Next

HOLLYWOOD, Jan. 24.—Will Rogers' first under his new Fox contract will be "Merry Andrew," a screen version of a play in which Walter Connolly appeared.

J. Louis Rome Recovers

BALTIMORE, Jan. 24.—J. Louis Rome, managing director of Associated Theatres, Inc., here has recovered from an appendicitis operation and has returned to his desk in the Capitol.

Insiders' Outlook

(*Continued from page 2*)

uring in more and more reports. Too, there may be some expansion in Monarch Theatres in which Sam has more than a passing interest. . . .

KANN

Rogers in Film Dicker

BUFFALO, Jan. 24.—Buddy Rogers is dickering with two companies and will sign with one to make not more than three films a year, with the right to reject roles or stories, he declared in a Buffalo interview. Rogers plans to head for Hollywood after filling his engagement in the Paradise restaurant, New York. He will keep his band and continue radio work.

Cincy Price Cut a Help

CINCINNATI, Jan. 24.—The reduction of approximately 25 per cent in evening prices at the RKO Palace has stimulated business to an appreciable extent, last week's gross being an estimated $17,000 for "Aggie Appleby" and "Greenwich Village Follies" on the stage. The house has been doing around $13,000.

Buy Dorchester Site

BOSTON, Jan. 24. — The Codman Square Theatre Co. has purchased the property at 633 Washington st., Dorchester, containing building and 4,199 square feet of land, from Louis Lippman, trustee, assessed for $20,400. A rumor that the company plans to build a new theatre at that location could not be verified.

Ben Jacksen on Coast

HOLLYWOOD, Jan. 24.—Ben Jacksen, former studio manager for Fox, who has been in the east producing independently, has returned to Hollywood and is looking around for talent and possible studio headquarters in the event he decides to produce here instead of the east.

Animators in Units

HOLLYWOOD, Jan. 24.—Even the animators are going on a unit basis. Ub Iwerks and P. A. Powers have separated the 40 ComiColor animators into four units with two key animators and a gag man for each unit. They are working on a competitive basis.

Denver Bars Marcus

DENVER, Jan. 24.—The A. B. Marcus' "La Vie Paree," a burlesque show, was barred from the municipal auditorium after the chief of police had warned the manager of the building he would arrest the cast.

Runs in Houston

HOUSTON, Jan. 24.—Protests by ministerial groups failed to halt the Marcus show here. The police commissioner saw it and failed to find it objectionable.

Mannix Here

Eddie Mannix, M-G-M production manager, has arrived from the coast for a brief stay.

Rosen Going Ahead On "Mad Dog" Film

HOLLYWOOD, Jan. 24.—Having just returned from an extended European visit, Al Rosen is going ahead with plans to produce "The Mad Dog of Europe." He states that while abroad he dug up first-hand information regarding the activities of the Nazis and will present it just as the moving finger of Hitler is writing it.

Rosen asserts that inasmuch as his presentation will be an accurate photographic reproduction of the drama that Hitler has penned, "gentle Adolf should not be ashamed of his brain child," also that because the Nazis hold high the ideal of truth, they should not be afraid to permit others to see socalled Nazi truth portrayed on the screen.

Rosen says that, while abroad, the Nazis issued a decree purporting to prohibit Jews from swimming in the swimming pools with Nazis. The Nazi high command contends that mixed swimming might contaminate the Nazis. Rosen contends it might contaminate the Jews. He states that he will announce distribution as soon as his film is completed.

Virginians Move to Drop Censor Board

RICHMOND, Jan. 24. — Agitation stirred up by the removal of Mrs. Emma Speed Sampson from the censor board and her refusal to resign until dismissed, has stirred a demand for abolition of the board.

Major Edwin H. Gibson, assistant attorney general, says the attorney general has power of removal and will exercise it so Mrs. Elizabeth Churchill Chalkley can take office by Feb. 1.

In the meantime some members of the legislature claim it would be an economy move to abolish the board.

Assemblyman A. E. S. Stephens has a bill providing for the abolition of the board and Wilbur C. Hall of Leesburg, chairman of the House finance committee, says he intends to move for the elimination of all appropriations for the board.

Patrick V. Shea Dead

Patrick V. Shea, father of Jack Shea, booker for the Feiber & Shea circuit, passed away Tuesday. Funeral services will be held tomorrow and interment will be at the Gate of Heaven Cemetery.

Mrs. Hendrickson Dies

Clayton Hendrickson, ad sales manager at the local Paramount exchange, is mourning the loss of his mother.



After the Talks Were Over



Some headline names disport themselves after the Interstate Circuit convention in Dallas. Somewhere in Mexico, left to right are: George J. Schaefer, Paramount; E. V. Richards, Saenger Theatres; Jules Levy, RKO; Sam Dembow, Jr., Paramount, and Karl Hoblitzelle in the background.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Hi, Nellie!"

(Warners)

HOLLYWOOD, Jan. 24.—"Hi, Nellie!" is a nickname of derision handed a guy in charge of a "heart throbs" column on a newspaper.

Paul Muni, a two-fisted managing editor, broken from his job, is stuck in the "dog house," and given the "Hi, Nellie" razz assignment. He creates a sensation with it, scores a beat on the story that sank him, and is elevated to his former job again.

"Hi, Nellie!" is virile, staccato realism of reportorial enterprise, spattered with home ambition, hope, and some suggested romance.

It moves rapidly. It is flavored with sauce of front page life and salted with humor.

Muni turns in a finished performance. Glenda Farrell convinces as the girl reporter. Ned Sparks' dry humor registers, and a competent cast supports. The story has bite and bark, and what it lacks in heart it amply fulfills in romantic action built around reportorial resourcefulness.

The direction is smooth and up to Mervyn LeRoy's high standard.

The title may need explaining, but the film should satisfy those who like their newspaper yarns straight and strong.

Stock Rise in Heavy Buying

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	26⅜	26⅛	26⅛	.....	100
Consolidated Film Industries	4⅛	4	4⅛	+ ⅛	600
Consolidated Film Industries, pfd	14½	14	14	.....	3,000
Eastman Kodak	87¾	86¾	87¾	+ ¾	800
Eastman Kodak, pfd	121	121	121	+1	1,000
Fox Film "A"	15⅞	14⅞	15¼	+ ¼	4,900
Loew's, Inc.	30⅜	29⅛	29⅞	+ ⅛	30,900
M-G-M, pfd.	21½	21½	21½	.....	200
Paramount, cts.	3⅞	3½	3⅝	+ ⅛	26,800
Pathe Exchange	2	1⅞	2	+ ⅛	1,300
Pathe Exchange "A"	12¾	12	12⅜	+ ⅜	2,100
RKO	3	2⅞	3	.....	4,100
Warner Bros.	7⅜	6⅞	6⅞	— ⅛	10,800
Warner Bros., pfd.	22	22	22	—1	200

Technicolor Gains ⅜ Point

	High	Low	Close	Net Change	Sales
Sentry Safety Control	¼	¼	¼	.....	100
Technicolor	10¾	10½	10¾	+ ⅜	1,100

Bond Market Shows Advance

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	6¾	6⅜	6¾	+ ⅜	15
Keith B. F. 6s '46	58	58	58	+1	1
Loew's 6s '41, ww deb rights	92	92	92	+ ⅝	2
Paramount Broadway 5½s '51	38	38	38	+ ½	5
Paramount F. L. 6s '47	37½	36⅞	37	— ½	20
Paramount Publix 5½s '50	37¾	36	37¾	+1¼	20
Warner Bros. 6s '39, wd	51	50	51	+ ¾	23

M-G-M Issues Huge "Eskimo" Pressbo

M-G-M has just turned out a 24 x 32 in. press book on "Eskimo" w is claimed to be the largest the c pany has ever turned out.

Included in it are details of 29 ups with national manufacturers, v appropriate stills for local use of th There is also an educational ar which includes water color cont and children's tests of their knowle of Arctic life.

A full page Sunday feature is available in mat form, with 35 feat publicity stories, a 12-chapter se and a variety of advertising campai

Outbids Capitol for New Warner Relea

Outbidding the Capitol, Howard Cullman yesterday signed a deal A. W. Smith of Warners for " Got Your Number," which has b set to open at the Roxy on Feb. Dating of the picture at the 7th A house marks the first from War since Jan. 6, 1933, when "Fr Jenny" played there. The film formerly titled "Hell's Bells" stars Joan Blondell.

"Dark Tower" to Warne

HOLLYWOOD, Jan. 24.—Warners h purchased "The Dark Tower," a m tery play by Alexander Woollcott George S. Kaufman.

The story is intended as a veh for either Edward G. Robinson Warren William.

Warners have also purchased magazine stories by Arthur Son Roche, "Roadhouse" and "Lady Di which they will combine into a co nuity for one picture.

Seidelman in London

LONDON, Jan. 24.—Joseph Sei man, foreign general sales mana for Columbia, arrives here tomor on the *Olympic*. He will preside the three-day meeting of the Eng selling force which starts Jan. 27.

Fassio Gets Singin' Sa

B. C. Fassio, president of Shamr Pictures, has closed a deal with Sin Sam, the Barbasol man, to do a se of songs in his "Ye Olde Time Il trated Songs" series.

MOTION PICTURE ALMANAC
1934-35
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PRICE $5.00

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

. 35. NO. 22 NEW YORK, FRIDAY, JANUARY 26, 1934 TEN CENTS

oldwyn Aims nother Blast t Hollywood

st Wake Up or Face Eclipse, He Says

By RED KANN

nless Hollywood wakes up to vorld around it and refashions its uction meth- along quali- e. not quan- ve lines, it ds in grave er of losing upremacy as picture-mak- center of the d. There is and cannot ny monopoly p r o d u c t i o n, e t h e r geo- hically o r rwise, a n d h of the an- to that is the progress being e in British production today. he executives in this industry are



Samuel Goldwyn

(Continued on page 2)

per Sees Menace f Wild Prosperity

ASHINGTON, Jan. 25.—Fears that United States in the near future suddenly run from depression in- era of prosperity difficult to con- were expressed today by Secre- of Commerce Daniel C. Roper. eaking before the Kiwanis Club

(Continued on page 6)

itain in Bid for op Ranking: Kelly

thur W. Kelly, vice-president of ed Artists in charge of foreign ibution, who arrived from South- on last night aboard the *Europa*

(Continued on page 6)

Goes Two-a-Day

United Artists is so keen bout its "Catherine, the reat," produced in London y Alexander Korda, that it as set the film in at the As- or on a two-a-day basis be- inning Feb. 14.

"Queen Christina" is now laying there.

Look for Fox Midland Deal About Feb. 15

Ten-Month Delay Due to Woolf-Shanberg Claim

KANSAS CITY, Jan 25.—Delay in working out a satisfactory settlement of claims involving almost $500,000 held by M. B. Shanberg and Herbert M. Woolf against Fox Midland Theatre Co. is slowing up reorganization of Fox theatre companies which filed petitions in voluntary bankruptcy here last March.

It is anticipated, however, that the matter will be disposed of by or around Feb. 15, when reorganization of Fox West Coast is expected to be completed. Announced as on the way last summer, the settlement has been retarded by the reported inability of New York attorneys for F. W. C., Chase National Bank and other major creditors to agree on the terms.

The stay in the Fox Midland proceedings obtained by Shanberg and Woolf and other actions they have pending in the Federal court have had

(Continued on page 6)

Rosenblatt Receives Report on Extras

HOLLYWOOD, Jan. 25.—The extra committee appointed by Division Administrator Sol A. Rosenblatt to investigate conditions among extras reported to him today following a two-hour session. On the basis of its report Rosenblatt advised the appointment of sub-committees to look into problems affecting these players. He

(Continued on page 7)

Favor Present Fire Rules for Code Use

Fire rules which have been in force at all exchanges throughout the United States for the past eight years will be proposed by the special committee for adoption by the Code Authority, it was decided yesterday at the first meeting of George J. Schaef-

(Continued on page 7)

Vaudeville to Get Code Consideration

Although vaudeville interests requested a separate code in Washington, the committee appointed by R. H. Cochrane yesterday agreed to work out their problems under the film code provisions. The group has decided to hold a public hearing next Wednes-

(Continued on page 7)

Very Much Alike

Pittsburgh, Jan. 25.—John H. Harris had a chance to go through Buckingham Palace while on his last trip to London. The ushers and uniformed attendants reminded him of American theatres, he said.

The corridors, richly decorated with marble, bore an even stronger resemblance. They were all empty.

Believe Loew Holdings Sold Only By Chase

Despite unusual trading activity in Loew's common on the New York Stock Exchange within the past 10 days, approximately 500,000 shares of the block of 660,900 shares formerly held by Film Securities Corp. are believed to be still in the possession of three of the four principal groups to whom it was distributed last month.

Chase National Bank is reported to have disposed of its block of 165,000 shares in the open market during the past 10 days. This block represented the Chase equity in the $18,300,000 defaulted notes of Film Securities, on which the 660,900 shares were posted as collateral. Chase's investment was $4,000,000, and on the basis of average market prices during the past ten days, the bank apparently

(Continued on page 6)

Repeal of Ohio 10% Tax Now Predicted

COLUMBUS, Jan. 25.—Repeal of the 10 per cent amusement tax during the special session of the General Assembly which reconvenes next Tuesday, is considered probable, it is learned from authentic sources close to legislative interests.

Although recommendations of the special joint taxation committee appointed by Governor White have not been released publicly, it is under-

(Continued on page 8)

Baldwin Prophesies End of Censorship

Declaring he was against government control of the industry and state censorship, Roger Baldwin, secretary of the American Civil Liberties Union, yesterday told the Ampa that next week a bill to abolish censorship in

(Continued on page 8)

Figure Para. Well on Way To New Deal

Estimate 90% of Finance Problems Solved

One year ago today Paramount Publix consented to a friendly equity receivership a few hours after its important theatre holding subsidiary, Publix Enterprises, filed a voluntary petition in bankruptcy. Less than two months later, on March 14, Paramount Publix went into bankruptcy.

In the 12 months intervening since Paramount's financial difficulties were climaxed by the equity receivership of Jan. 26, 1933, the company not only has progressed along the road of reconstruction to a point where it is now reliably estimated to have overcome 90 per cent of the obstacles in the way of a reorganization and discharge from bankruptcy, but it has also during that period maintained its position as one of the industry's leaders in production, distribution and exhibition.

Official opinion holds that Paramount Publix may be discharged from bankruptcy within the first six

(Continued on page 6)

Reade-Storrs-Para. Deals Are Approved

Approval of a mutual cancellation of claims by Paramount Publix, Walter Reade and Frank V. Storrs, theatre lessors, involving an estimated $500,000, was given yesterday by Referee Henry K. Davis.

Reade and Storrs had filed claims

(Continued on page 6)

Authority to Move Against Broadcasts

The Code Authority will be requested at its next meeting, Feb. 9, to join with the Code Authority of the legitimate theatre in protesting allegedly unfair competition by the radio

(Continued on page 7)

No Deal Yet

Fox Movietone News is scouring Broadway for a suitable newsreel theatre to follow in on the heels of the old Embassy. In the list is the Central, but no deal has been made, according to Truman H. Talley.

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Gillham Enthuses

Robert Gillham, director of advertising and publicity for Paramount, returned from the coast yesterday and reported himself considerably enthused over progress made by new talent on the lot. In this group, he placed Ida Lupino, Francis Drake and Lanny Ross.

Nat Levine Optimistic

KANSAS CITY, Jan. 25.—Nat Levine expressed optimism over the business outlook on his way to the coast. During a brief stop here he conferred with R. F. Withers, manager of the Midwest Film Distributors, local distributors for Mascot.

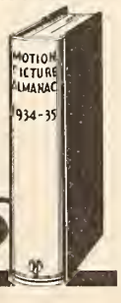
MOTION PICTURE ALMANAC

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Goldwyn Aims Another Blast At Hollywood

(*Continued from page* 1)

committing suicide and are lacking in the vision to see it.

"This time last year I thought there were enough brains around to turn out 50 real standout attractions a year. Today, I don't think the combined production brainpower of the industry can make that many.

"There aren't enough stories. Even if there were, the necessary writing power no longer can be mustered. I know, I've been talking to writers and they are beginning to hate Hollywood.

"No matter how prosperous times may become, the public will never go back to the machine-made picture. When are the executives going to learn this, and, if they do, will they learn it in time to save the business from a complete collapse?"

Fires With Both Barrels

In staccato, with one blast hurtling from his lips to explode before the detonation of the preceding one had subsided, Samuel Goldwyn, in New York and burning, as usual, over the current method of making pictures, yesterday threw his annual barrage on the follies of executive production management, as he sees them.

He continues to think mass production is all wet, that it has no defense except a defense set up by sales managers, whose argument, Goldwyn insists, is the old one about a selling crew and an exchange system geared to handle 30 or 40 or 50 pictures as the case may be and, therefore, ought to have that number each season.

"I'm brutal? Why not?" were two questions which Goldwyn poised and then proceeded to answer:

"I've been around New York long enough already to hear glowing reports about all the money the picture companies are making. But nobody tells me how much money the theatres are losing or how the theatres are being crucified and sacrificed through product loaded with mediocrity and routine.

"You would think, wouldn't you, that after all these years of taking a stab at a system that has been and still is tottering, the producers would become smart enough and realize the present method can't possibly hold up? Maybe it's got to get a lot worse before it gets better. I don't know about that, but I do know all other arguments fall of their own weight by comparison with a production system that would eliminate the junk through holding down on numbers of pictures and substituting a plan which provides for about 25 per cent of the total product now turned out.

Deplores Speed

"Pictures are made and what happens to them? They're patched together in a hurry to meet release dates. They're sent through a releasing machinery that hasn't time to concentrate on special handling. They're given playdates that don't even return negative costs, yet crowd out the occasional, real attraction that comes along.

"Let me tell you," continued Goldwyn, as he wagged a thoughtful finger, "there is not and can never be a substitute for intelligence in picture-making. They talk about me because I spend so much money on pictures. Why not? I get results. I follow through and never start anything I can't finish.

"Another thing. What about the dozens of pictures that are made on the mass factory lots at a cost of from $400,000 to $750,000 and never return their investment simply because proper preparation and brain power were never placed behind them in the first place?"

Giannini Here; Talks

Dr. A. H. Giannini, chairman of the board of the Bank of America National Ass'n, delivered a talk before the saving banks division of the American Bankers Ass'n banquet at the Waldorf last night, having made a special trip east for the purpose. He expects to return to Los Angeles in a few days.

Schenck May Take Boat

Nicholas M. Schenck, who plans a Hollywood trip shortly, is figuring on making the journey through the canal and may set sail Feb. 2.

Pathe "A" Shares Gain 5/8

	High	Low	Close	Net Change	Sales
Columbia Pictures vtc.	26¼	26	26¼	+ ⅛	200
Consolidated Film Industries	4⅝	4¼	4⅜	+ ¼	1,800
Consolidated Film Industries pfd.	14¼	14	14¼	+ ¼	1,800
Eastman Kodak	87¾	86¾	87½	— ¼	1,100
Fox Film "A"	15¼	14¾	14⅞	— ⅜	3,800
Loew's Inc.	29¾	28⅝	29⅜	+ ¼	12,900
M-G-M pfd.	21½	21½	21½	.....	200
Paramount cts.	3¾	3½	3⅝	.....	14,600
Pathe Exchange	2⅞	1⅞	2⅛	+ ⅛	11,100
Pathe Exchange "A"	12⅜	12½	13	+ ⅝	3,900
RKO	3½	2⅞	3	.....	2,400
Warner Bros.	7	6¾	7	+ ⅛	10,100

Technicolor Slips ½ Point

	High	Low	Close	Net Change	Sales
Sentry Safety Control	5/16	5/16	5/16	+1/16	100
Technicolor	11¼	10¼	10¼	— ½	1,100

Paramount Publix Slumps 1¾

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	6¼	6	6	— ¾	13
Loew's 6s '41 ww deb rights	92	91	91	—1	7
Paramount Broadway 5½s '51	37	36¾	36¾	— ¼	2
Paramount F. L. 6s '47	37	37	37	.....	2
Paramount Publix 5½s, '50	36⅛	36	36	—1¾	10
Warner Bros. 6s '39 wd	52¾	51⅝	52	— ½	145

Purely Personal

FREDRIC MARCH will leave the coast tomorrow after a 10- vacaiton here with MRS. MARCH. starts work Feb. 1 in "The F brand" for 20th Century.

AL CHRISTIE will start BOB HO first starring short for Educationa the Eastern Service Studios on M day.

RUTH DONNELLY, fresh from coast, has been signed to a new l term contract by First National.

DAVE RUBINOFF without his vi taking a good look at Garbo as appears on the Astor sign.

J. H. HOFFBERG sails on the *American* tomorrow for a business to Cuba.

MAY ROBSON arrives from Ho wood on Sunday.

GENE RAYMOND arrived from coast yesterday.

WILLIAM FERGUSON has gone Florida again.

SYLVIA SIDNEY is in town for a cation.

J. J. FITZPATRICK is nursing a c

Masquers Set for Rev

HOLLYWOOD, Jan. 25.—The Masqu annual revel will take place Sun night with Gouverneur Morris and J pert Hughes as guests of honor w a sketch by the former, "Justice the Damned." Other features on program will be the Mills Broth Hal LeRoy, Gene Austin and band, James Cagney, James Gleas Stanley Fields, Lowell Sherm Chuck Reisner, Murdock McQuar Syd Saylor, Frederick Santley, Jos Santley, Fred Burtol, Eddie Nuge Frank Albertson, Brandon Hurst a Mitchell Lewis.

Cullman Year on Job

Today is the first anniversary Howard Cullman's receivership acti ties at the Roxy. His job has be extended twice by the court. He sued a statement yesterday saying t the house was showing an operati profit and would increase its retu by the time his next report is rea

No change of policy or manageme is expected at this time, he said.

Yorke Reaches Coast

HOLLYWOOD, Jan. 25.—Gabe Yor has arrived here from New York switch spots with Arch Reeve, W Coast publicity director for Fox.

The day was spent in outlining th respective positions previous to Reev departure for New York.

Wobber in Hollywood

HOLLYWOOD, Jan. 25.—Herman Wo ber, Pacific Coast representative f Fox, is here from San Francisco f a couple of days.

NEWS OF THE WEEK IN PHOTO-REVUE



MASSACRE' HELD OVER at N. Y. trand after unanimous press praise, s Philly reports biggest Barthelmess pening since 'Dawn Patrol.' °



"DELUGE OF ORCHIDS and ermine" is N. Y. American's description of 100% carriage-trade B'way premiere of Wm. Powell in *Fashions of 1934*, hailed by all critics as "season's smartest entertainment"—"the last word"—"starting another cycle".°



WARNER STAGE BUYS in same eek are Kaufman and Woollcott's ark Tower' and 'The Firebird', lbert Miller—Judith Anderson hit.





EW WARNER CUT-UP goes to cutting room studio sets early release for dance star Hal Roy's 'Harold Teen'.

WARNERS SUPPLY TRADE with pre-release *Wonder Bar* press sheet as basis for eight-week advance campaigns on coming musi-colossus.°

COAST PREVIEW in Los Angeles Examiner rates Muni's *Hi, Nellie* "best newspaper story to date —most brilliant job Mervyn LeRoy has done —Paul Muni marvelous".*



*A Warner Bros. Picture °A First National Picture Vitagraph, Inc., Distributors

LOOK FOR "STATE FAIR"



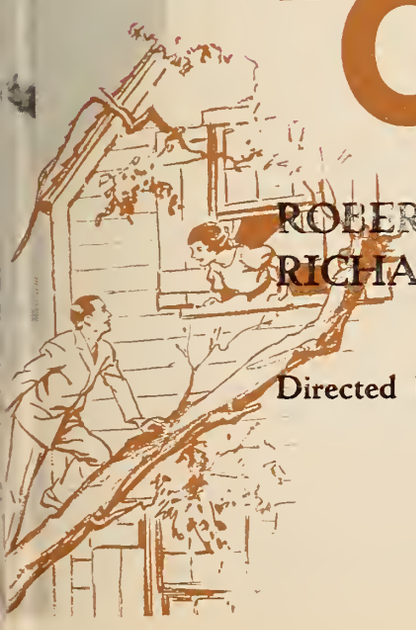


• A spunky little miss... courageous in the face of shoddy pride... determined to win the man she loved... though she had to turn a sleepy Carolina plantation upside down to bring him to her.

GROSSES .. *or better*

• An appeal as wide as the range of human emotions ... as deep as the human heart. Laughter and tears ... romance, music and hard-hitting drama. With Janet Gaynor and Lionel Barrymore giving unsparingly of their brilliant talents.

JANET GAYNOR
LIONEL BARRYMORE
in
"CAROLINA"



ROBERT YOUNG • HENRIETTA CROSMAN
RICHARD CROMWELL • MONA BARRIE
STEPIN FETCHIT

Directed by HENRY KING. From "The House of Connelly" by Paul Green

FOX

Your patrons always like
FOX MOVIETONE NEWS

Figure Para. Well on Way To New Deal

(Continued from page 1)

months of this year. A reorganization plan, looking toward that end, has been virtually completed under direction of Sir William Wiseman, former member of the Paramount directorate, and an associate of Kuhn, Loeb & Co., former Paramount bankers, working in conjunction with Dr. Julius Klein, who was assistant Secretary of Commerce in the Hoover administration.

The plan is to be advanced on behalf of the bondholders and other creditors as soon as sufficient progress has been made on adjustment of the creditors' claims against the company, which are said to aggregate approximately $250,000,000. The bulk of these, it is pointed out, will be disallowed, expunged or compromised, but until some near-permanent adjustment has been made of them the reorganization plan cannot be advanced much further than its present stage. The plan is now understood to call for the formation of a new company, to be owned by Paramount, which will buy up the assets of the bankrupt estate. No sales figure can be estimated in advance of the adjustment of the claims outstanding.

Cash Reserve Increases

Paramount's books at the time of its receivership one year ago revealed liabilities of $47,826,890 and assets of approximately $150,000,000. The cash on hand item at the time was $399,545. On Sept. 30, last, the third report of the Paramount Publix trustees in bankruptcy showed cash on hand aggregating $2,074,480. Fall and winter distribution receipts are estimated to have more than doubled that cash figure, bringing the company's current cash position to approximately $5,000,000. Add to this a Federal tax refund for the year 1929 amounting to $7,275,000, conceded to Paramount last November by the Bureau of Internal Revenue, and the favorable cash position of the company one year after the climax of its financial reverses is established.

Virtually all of the company's revenue during the past year has come from the distribution department. No outside financing of any description has been undertaken and theatre revenue has been negligible. Distribution receipts were aided importantly by the decline of the dollar and its resultant increase in revenue from foreign distribution, which was estimated to have doubled over the year preceding.

Need for Cash Lessened

Theatres, while returning insignificant revenue, have been reorganized to an extent where they have not been required to make exorbitant cash demands on the parent company or its operating subsidiaries. This reorganization, involving the decentralization of theatre operations by creating operating partnerships in the field, is regarded as a firm cornerstone of the new Paramount operating structure, conceived for the future out of the experiences of the past.

Paramount's campaign of theatre acquisition from 1928 to 1932 was held to be responsible for the company's financial difficulties, together with general business depression, by the leading executives of the company testifying in lengthy sessions throughout the year at creditors' hearings before Referee in Bankruptcy Henry K. Davis. Adolph Zukor, president; Ralph A. Kohn, former treasurer; John Hertz, former chairman of the nnance committee; Austin Keough, general counsel, and others, all agreed on the witness stand that maturing obligations incurred in theatre acquisition, which came due in the crucial business period of 1932, when theatre receipts were at their lowest, contributed more than any other single factor to the company's financial dfficulties and the ultimate receivership and bankruptcy. Theatres which had been expected to pay their own purchase price were unable instead to meet operating expenses.

The bulk of the credit for the company's recovery to date appears to be traceable to the production department for delivery of box-office product, under restricted circumstances, to the distribution department for getting the most revenue possible out of that product; to Zukor for efficient management in critical times, and to the trustees, Charles D. Hilles, Charles E. Richardson and Eugene W. Leake, for readjustment policies.

Publix Enterprises, Paramount's bankrupt theatre subsidiary, to all intents and purposes exists no longer. On going into bankruptcy a year ago, it reported liabilities of $41,214,407 and assets of $23,864,076. It operated approximately 315 theatres in 21 states, having been developed from the old Southern Enterprises circuit acquired from S. A. Lynch.

Assets Depreciated

This $23,000,000 of book value assets was appraised 10 months later for the Federal District Court here as having a current value of approximately $2,000,000. The assets were sold to Famous Theatres Corp., a newly organized, wholly owned Paramount subsidiary, in December for $1,800,000. The new holding company, Famous, is now in full charge of all the former Publix Enterprises holdings, which are being operated directly by it, or by operating partners in the field. A number of the houses which comprised the holdings at the time of the bankruptcy have since been disposed of entirely. Creditors of the company have been offered a choice of settlement of valid claims on the basis of 33 cents on the dollar, or a share of stock in the new holding company, Famous, for each $200 of approved claims—a theoretical settlement of 50 cents on the dollar.

The bankruptcy of the theatre subsidiary essentially is closed. A large staff of auditors, accountants and attorneys serving Irving Trust Co., which is trustee in bankruptcy for Publix Enterprises, yesterday vacated the large sixth floor quarters in the Paramount Building occupied by them during the past 12 months. All that remains to completely wind up the bankruptcy is the final settlement of contested claims for future rent filed against the bankrupt by landlords and expected to be disposed of in March.

Believe Loew Holdings Sold Only By Chase

(Continued from page 1)

realized about $4,500,000 on the sale. Under national banking laws and a recent ruling of the U. S. District Court here, Chase was required to divest itself of its Loew's interest within a "reasonable" time to avoid infringement of anti-trust laws.

The remainder of the block of 660,900 shares of Loew's involved in the Film Securities transaction is distributed in the following principal amounts: A. T. & T., 330,000 shares; Hayden, Stone & Co., 82,500 shares; Dillon, Read & Co. 82,500 shares, and the balance is held in small scattered accounts. The principal amounts listed above are believed not to have been disposed of yet, although A. T. & T. has stated officially that it has no intention of maintaining a permanent interest in any film company.

Loew's stock rose 2¾ points on a turnover of 280,400 shares during the sale of the Chase holdings.

Britain in Bid for Top Ranking: Kelly

(Continued from page 1)

with Joseph M. Schenck, revealed that the British industry is contemplating an invasion of the world story market, Hollywood included, to give international scope to its product.

"The British industry," according to Kelly, who has been away six months, "does not feel it is on a par with the American industry, but it is only a question of months before it will be." He added that the British studios have decided "they cannot depend on their own nationals as sources for material."

Kelly also asserted that the American industry can profit from the resumption of diplomatic relations between the United States and the Soviet "only providing it can express itself freely motion picture-wise in Russia." He said there would be little sense in breaking into the Russian market unless the distribution of at least 20 or 30 films a year were permitted there.

Reade-Storrs-Para. Deals Are Approved

(Continued from page 1)

against Paramount Publix aggregating $250,000, growing out of a 1930 agreement by which Paramount leased 16 New Jersey theatres from the claimants. Paramount filed counter claims against Reade and Storrs for a corresponding amount on the same agreement, resulting in the mutual cancellation pact.

Phones Start a Cycle

Latest trend in cycles in films is that of trouble sleuths for telephone companies. With the Roxy booking "I've Got Your Number" starting Feb. 2, the Warner picture will be the first to hit Broadway. U. A. shortly will release "Looking for Trouble" and Columbia is now completing a story with Tim McCoy, both telephone sagas.

Look for Fox Midland Deal About Feb. 1

(Continued from page 1)

the effect of also delaying procee ings in the Fox Rocky Mounta Theatre Co. case, as the two units a interlocked. While no legal hurdl are in the way of Fox Rocky Mou tain, the referee has continued eve scheduled hearing since the Shanbe action was started. Though the ban ruptcies were filed 10 months ago, t required hearings for such matters the examination of the bankrupt ha not been held.

Because a settlement has been e pected, motions by Shanberg a Woolf in the Federal court to di charge the Fox Midland receiver a return the properties to their contr have been repeatedly continued f hearing and will be dismissed wh signatures are affixed to the agreemer These actions seek to eliminate t partners as creditors and reinsta them as holders of prior liens on t properties involved, by which th claim they are entitled to $486,92 with interest, as the balance of t original purchase price of $3,476,8 for the theatres sold to F. W. C. 1929.

Despite their determined court fig to regain the Midland circuit, t Kansas City claimants freely say th don't want the theatres back, but want the balance they assert is due.

Roper Sees Menace Of Wild Prosperity

(Continued from page 1)

of Washington, Roper revealed th American stock exchanges are recei ing increasing British orders to pu chase securities and in other foreig countries merchants are arranging buy from the United States rath than from their former sources, b cause of the exchange advantages.

"If this is to be taken as an inde of increasing business, our countr will soon be the recipient of such e tensive buying as to lift us out of t depression more speedily than futu safety may make advisable," he d clared. "It may well be that we sha soon have to give attention to wa and means of safely guiding a wa of prosperity instead of battling wit the forces of depression. It is better f permanent safety that we shoul emerge from our economic trouble gradually and be wise enough to saf guard against future depression occu rences."

Warners Buys "Firebird"

HOLLYWOOD, Jan. 25.—Lajos Zi lahy's play, "Firebird," produced o Broadway by Gilbert Miller, has bee acquired by Warners. Ralph Bloc and Doris Malloy will adapt.

189 "Fashions" Dates Se

First National's "Fashions o 1934" will be played simultaneousl in 189 situations throughout the coun try during the week of Feb. 17.

uthority to Move Against Broadcasts

(Continued from page 1)

ustry in giving dramatic presenta- is in legitimate theatres and ad- ting audiences to them without rge. The protest will be brought the Code Authority of the radio ıstry.

oth NBC and CBS lease legiti- e theatres in New York in which matizations are presented for radio adcasting and audiences admitted ıout charge, it was said.

he legitimate theatre Code Author- appointed Frank Gilmore, presi- t of Actors' Equity; William C. ott, head of the I.A.T.S.E., and rcus Heiman a committee to confer h the film Code Authority to con- on cooperative action in the mat-

ansas City Lawyer Put on Labor Board

ANSAS CITY, Jan. 25.—John T. rding, Democratic lawyer repre- ting film interests here, has ac- ted appointment as chairman of the ısas City regional labor board, of- ed by the National Labor Board in shington.

Harding will be the impartial mem- of the board, which will be com- ed of five representatives of indus- and five of labor. Labor disputes ing at theatres may be referred the board for arbitration.

he appointee is a member of the n of Harding, Murphy & Tucker, ch represents United Artists lo- y.

avor Present Fire Rules for Code Use

(Continued from page 1)

W. Ray Johnston and J. S. Mac- d, the group named by the au- rity to handle the matter. In a instances the rules will be nged, but the changes will be or, it was stated yesterday.

nother meeting of this committee xpected to be held next month for ing the final changes.

audeville to Get Code Consideration

(Continued from page 1)

afternoon at the Astor when all ties will be given a chance to ex- ss themselves in relation to the e. The plan is to take in problems abor and the actor.

ouis K. Sidney substituted for E. Schiller, who is ill. John C. Flinn, cutive secretary of the Code Au- rity, was present.

tart Selecting Boards

irst steps in selecting names for 32 clearance and zoning and griev- e boards start today when the mittee of six appointed by the e Authority holds its initial meet- Other sessions are expected to held regularly until the next ses- of the authority on Feb. 9.

ITOA Ball Feb. 21

he ITOA will hold its first dinner ball at the Waldorf-Astoria on 21.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Carolina"

(*Fox*)

HOLLYWOOD, Jan. 25.—The drawing power of Janet Gaynor and Lionel Barrymore, linked with a home-spun romance of South Carolina, should send "Carolina" across for a big box-office. "Carolina" bears the name of Winfield Sheehan as producer.

In harmony with the popularity of stories of charm, "Carolina" is a refreshing drama of a girl of the North, Janet Gaynor, and a tenant farmer on a Southern estate with the vision to grow tobacco.

Robert Young, scion of the House of Connelly, on whose land Janet farms, is intrigued by the girl and her enterprise, falls in love with her, much to the chagrin of his aristocratic mother, Henrietta Crosman.

Uncle Bob, Lionel Barrymore, Confederate veteran, and nominal head of the decadent house, reflects the spirit and traditions of the family that once rode the crest.

Miss Gaynor makes Joanna winsome and romantic. Barrymore registers a fine characterization. Miss Crosman again shows her versatility. Mona Barrie has looks and ability. Henry King directed.

Showmanship values of the beautiful romance, negro singing, tobacco raising and the flashback of a Confederate Army ball can especially be capitalized in theatres below the Mason-Dixon Line. Where they cheer when they hear "Dixie," the entrance of Robert E. Lee as pictured, should give ample signal for hurrahs as well.

"Bedside"

(*First National*)

HOLLYWOOD, Jan. 25.—Warren William turns medico in his latest effort, an entertaining piece which, at times, forgets to adhere to the unalterable rules of the profession. However, for picture purposes it probably will get by without many picking out the technical flaws.

Jean Muir, a charming blonde, contributes an engaging performance and lends swell support to the hero. Also doing nice work is Allen Jenkins as the ballyhoo agent. Donald Meek is capital as Warren's assistant.

Because she has faith in William and loves no other man, Miss Muir gives him $1,500, makes him quit his job as an X-ray technician, and sends him to Chicago to complete a medical course. En route he loses the money in a card game, returns to his sweetheart and is forgiven without further ado.

Failing to get a degree legally, William buys one from David Landau, a former M.D., and now a morphine addict. He changes his name and sets up an office on Park Ave. Jenkins is brought in to handle the publicity and overnight the fake medico becomes a sensation. Actually Meek does all the work with William getting the credit.

When William performs an operation on Renee Whitney, he almost causes her death, but again Meek saves the day. Later, Miss Muir tells her sweetheart she is through with him because of his racket, but refuses to expose him. When she tries to stop Landau from spilling the scandal she is run down by an automobile and when it comes to performing an emergency skull operation, William refuses. In desperation he exposes himself to the doctors of the hospital and when Miss Muir recovers she again forgives him on the promise he turns to X-raying as a means of livelihood.

"The Lost Patrol"

(*Radio*)

HOLLYWOOD, Jan. 25.—The "Lost Patrol" is red-meat drama with a red-blooded wallop. Its saga records the heroism of men.

The film is based on a true incident of the British cavalry patrol in Mesopotamia in 1917. On the screen it becomes a scorching soul-baring document of 12 he-men lost in the desert fighting unseen Arabs. Their position hopeless and surrounded by snipers, primitive emotions break out. Some discuss their lady loves. One prays. Another goes stark mad. Others rush blindly against the enemy. Some give their lives for their fellow-men. All are picked off but one.

Victor McLaglen, whose actual fighting exploits ideally fit him for his portrayal of the sergeant of the patrol, gives a great performance, perhaps the best of his career. The all-male cast, including Boris Karloff, Wallace Ford, Reginald Denny and J. M. Kerrigan, turns in first-rate portrayals. John Ford's direction is excellent. In all departments the production is of superior quality, with music keenly keyed to the film's various moods.

(Additional review on page 8)

Rosenblatt Receives Report on Extras

(Continued from page 1)

added that should this step fail to remedy matters, changes would be made in the code. It was the opinion of many at the meeting that provisions in the code affecting extras were adopted before conditions could be properly analyzed. All agreed that spreading work under the NRA among extra players was more important than in higher brackets.

Mrs. Mabel Kinney, California industrial welfare commissioner, was named chairman of a general committee consisting of Fred Pelton, B. B. Kahane, M. H. Hoffman, Pat Casey and J. P. Normanly representing producers; Phil Friedman and Dave Werner, casting directors; Charles Miller, Equity, with extras represented by Allan Garcia, Larry Steers, Lee Phelps, J. B. Russell, Una M. Hopkins and Fred D. Burns. This committee will name sub-committees. These groups will start work immediately so that reports may be submitted to Rosenblatt before he leaves.

F. & M. Working Out St. Louis Contract

ST. LOUIS, Jan. 25.—F. & M. attorneys, City Collector Edmund Koeln and James T. Blair, receiver for Fox Theatre, are working out an agreement whereby F. & M. can take over operation of the house.

General terms of the agreement reached thus far, it is reported, require F. & M. to pay $1,350 a week to cover ground rent and taxes in addition to assuming all operating expenses. Profits, if any, will be split 50-50.

F. & M. has come to no definite decision as to whether to use stage shows at the Fox or the St. Louis.

"Carolina" at Charlotte

CHARLOTTE, Jan. 25.—Fox brought "Carolina" here for its premiere last night at the Carolina Theatre and succeeded in getting the governors of both the Carolinas as guests. Many of those present cooperated with Henry King in making some of the scenes of the picture here.

Russell Moon of the Fox home office handled the opening with the cooperation of Eugene W. Street, manager.

"Carolina" is reviewed on this page today from Hollywood.

Junior Guild Elects

HOLLYWOOD, Jan. 25.—Lee Phelps was elected president of the Junior Actors' Guild last night. Other officers are: Tom O'Grady, first vice-president; Margaret Morgan, second vice-president; Joe Novak, secretary; Eddie Baker, treasurer. Four hundred and fifty voted.

Take Cameo Tomorrow

Jack Shapiro and Louis F. Blumenthal, who acquired the Cameo from RKO the other day, take possession of the theatre tomorrow.

Arthur Leaves St. Louis

ST. LOUIS, Jan. 25.—Harry C. Arthur left for New York today.

Many in Industry Get Income Refunds

Numerous New York individuals and companies connected with the business were among those who benefit on income and estate taxes refunds declared by the Bureau of Internal Revenue.

Persons and firms and the amounts refunded follow:

Universal Film Mfg. Corp., $55,547.01 and $36,331.14; Jack G. Leo, $5,868.34; Loew's Ohio Theatres, Inc., $7,969.94; Wilmer and Vincent Theatre Co., $1,033.65; Balaban and Katz Corp., $3,761.22; Consolidated Film Industries, Inc., $9,897.31; Samuel Goldwyn, Inc., $2,440.25; David M. Loew, $3,135.65; Loew's, Inc., $3,470.31; Rosindale Rialto Theatres, Inc., $1,119.80; Richard A. Rowland, $8,962.76; United Artists, $1,940.08; United Artists Theatre Circuit, Inc., 152 West 42nd St., $3,985.02; United Artists Theatre Circuit, Inc., 729 7th Ave., $1,213.04; Universal Pictures Corp., $5,416.02; Walter Wanger, $1,283.23; Warners-First National, $2,006.20.

No Rent Is Made in Allied Secrecy Veil

Allied directors remained in a fog of secrecy and cigar smoke in their comfortable quarters atop the fashionable Warwick Hotel for the second day running yesterday. No statement other than that the session would continue during today was issued by the conferees, about 12 in number.

Kennebeck in New Post

John E. Kennebeck has been named managing director of Paramount Film Service, Ltd., of Australia, New Zealand, Java and Straits Settlements. He succeeds William J. Clark, resigned. The appointment was made by John W. Hicks, Jr., vice-president of Paramount International Corp.

Kennebeck has been director of publicity and advertising in Australia for the past seven years.

Howard Vacations Here

William K. Howard, well known coast director now in New York, is vacationing, having completed two pictures in a row for M-G-M. One was "The Family Scandal," formerly "It Happened One Day," and the other, "The Cat and the Fiddle."

John W. Considine, Sr., father of the M-G-M associate producer, accompanied Howard on the trip through the Canal.

Avon Gets Sunday Shows

ROCHESTER, Jan. 25.—Without Sunday shows since the Civil War, the nearby village of Avon will have its first one next week when Clair Meachum reopens the Park.

The town had asked Sunday shows, but William W. Farnum, former owner, had refused. Meachum announced the Sunday innovation after acquiring the house from Farnum.

Delay Tri-Ergon Hearing

Hearing of Tri-Ergon's appeal from Judge Cohn's decision dismissing suit against local exhibitors and distributors has been postponed to Feb. 2. Louis Nizer is attorney for the exhibitors.

Behind the Make-Up

By F. J. NEIDIG

CHESTER ERSKINE, who is to produce and direct the Moss Hart story, "Frankie and Johnnie," featuring Helen Morgan and Lilyan Tashman, at the new Biograph Studio, expects to set into production on Feb. 12. Erskine recently signed Chester Morris for the leading male role in this picture, the first of a number he expects to produce at the new plant.

•

Al Christie has completed another Educational comedy, starring Ernest Truex, at the Eastern Service Studio in Astoria. Truex was supported by Mary Jane Barrett (Mrs. Ernest Truex), Montagu Love, Ralph Ince, Phillip Truex and Eddie Roberts. The story, "The Expectant Father," was written by Art Jarrett and Bill Watson with George Weber and those famous assistants, Sol Midwall and Bill Kelly, at the camera.

•

Ben Blue's latest, "Mush," has been completed at the Vitaphone studio in Brooklyn. Blue was supported by Dorothy Dare, Herb Warren, June East and Shemp Howard under the direction of Ralph Staub. Miss Dare did some long distance commuting to work in this picture, as she was also appearing in "Hold Your Horses" in Philadelphia.

•

"Salted Seanuts," a Big V Comedy featuring Charles Judels and George Givot, has been completed at Vitaphone under the direction of Ralph Staub. The cast includes Monty Collins, Hughie Cameron, Lionel Standard, Janet Rathbun and Gertrude Mudge.

Roy Mack has completed another musical comedy at Vitaphone, featuring Lillian Roth. The cast includes Queenie Smith, Jack Good, George Houston and Weldon Heburn, with the story of "Mardi Gras" written by Cyrus Wood and Eddie Moran.

•

Al Christie will direct a musical comedy for Educational at Eastern Service in Astoria on Monday. Lillian Roth and Bob Hope, of the play, "Roberta," will be featured.

•

Another Harry Gribbon comedy has been completed at Vitaphone, also under direction of Ralph Staub. The cast included Jules Epially, Shemp Howard, Leni Stengle, Gautschi and Sonnen, Apache dance team, and Ruth Robinson, with the story by Jack Henley and Dolph Singer.

•

Roy Mack started work on another musical comedy, "Alibi Baby," at Vitaphone this week featuring Inez Courtney. The cast includes Roscoe Ails, Ann English, Jack Good and Don Tomkins.

•

Ben Blue expects to leave for Europe some time in February and will make personal appearances at the Casino de Paree and the Palladium, London, for a month. He has had several offers to make comedies in Europe, but has been unable to accept, as he has a contract with Warners.

•

Ray Foster, Vitaphone cameraman, has been elected a trustee of Local 644 for three years. He was formerly secretary of the local.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Two Alone"

(Radio)

HOLLYWOOD, Jan. 25.—A homey and simple story of farm life with two puppy lovers thrown together under the roof of tyrannical Arthur Byron. One of the youngsters is Tom Brown, escaped from a reform school, and the other is Jean Parker, an orphan adopted by Byron to do the daily chores.

Left alone one afternoon, the lovers forget themselves, but plan to run away as soon as the opportunity presents itself. The time comes any they hit the road together with Willard Robertson's home, 30 miles away, as their goal. When they arrive there, he is gone and on their way back they are picked up by Byron, who brings them back to the farm and servitude.

Another attempt to escape is made by the youngsters and in a fist encounter, Byron is injured. He sends his wife to get the sheriff to arrest Brown and the girl. Robertson, who returns to the farm, reveals the fact that he is the father of Miss Parker and the sheriff is halted in his tracks. However, he does take Brown, but not before the lovers have tied the knot.

Charles Grapewin and ZaSu Pitts have short bits, but their comedy proves rather flat. Elliott Nugent directed, but Lucien Andriot, cameraman, did a better job with the photography.

"As Husbands Go," yesterday's opener at the Radio City Music Hall, was covered by wire from Hollywood on Jan. 4.

"The Women in His Life," this morning's opener at the Capitol, was reviewed on Dec. 11.

"Beloved," last night's preview at the Roxy, was covered by wire from Hollywood on Dec. 18.

Repeal of Ohio 10% Tax Now Predicte

(Continued from page 1)

stood that they contain what amour to revolutionary changes in the pr ent assessment setup.

The current nuisance tax, which i cludes imposts on admissions, cosm ics, cigarettes and malt, would be r placed by new taxes on real estate a property improvements, a graduat tax on net incomes, with exemption $500 and an additional tax on gas line.

In addition, a general sales tax, a flexible and emergency measure, said to be favored, under a plan to i crease or decrease the amount of th tax in proportion to the minus or pl results of the other measures fro time to time.

The nuisance tax is designed to ca for poor relief and weak school di tricts.

Baldwin Prophesies End of Censorshi

(Continued from page 1)

New York will be introduced in t legislature. He said that the bill w not ask elimination of the state tax all pictures released in New York.

Baldwin declared that if the indu try wanted to it could work out i own censor rules and outside inte ference would be unnecessary. H said only six states have film cens boards and he expects to see tho boards eliminated shortly.

Others attending the meeting i cluded Frank Buck, Bert Wheele Dorothy Lee, Harry Hershfield a Wee Willie Robyn.

Amity Action Resumed

Out of court examination of E. V Hammons before trial of Amity's su against Educational to recover fil rentals alleged to be due on Tiffa product acquired by Amity was r sumed in Hammons' offices yesterda The examination, begun some tin ago, was discontinued during discu sions of an out of court settlement the action, and resumed when a agreement could not be reached.

Delay Quittner Hearin

A hearing before U. S. Distri Court Judge Francis G. Caffey on t form of the appeal record of Edwa Quittner's anti-trust action again major distributors, scheduled for t day, has been postponed until Tuesda

Jafa Acquires Five

Jafa Film Exchange has taken ov distribution of "Intolerance of 193 in English and "Yiskor" and "Sacr fice of Isaac" in Jewish, as well two shorts, "Passover Night" and " Cantor on Trial."

Delay St. Louis Sessio

ST. LOUIS, Jan. 25.—The annu meeting of stockholders of the S Louis Amusement Co. scheduled f Jan. 23 was not held. No date f the meeting has been set.

New Chesterfield Title

HOLLYWOOD, Jan. 25.—"The Qui ter" is the final title for Cheste field's "The Understanding Heart."

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MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

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Root Insists Size of Para. Fee Justified

Court to Receive More Briefs on Claims

"Paramount could have lost its entire business to competitors overnight if the equity receivership had been mishandled," Elihu Root, Jr., of counsel for the Paramount receivers, told Federal Judge John M. Woolsey yesterday at a hearing on the equity receivers' petition for payment of $218,000 fees incurred during the two months of receivership last winter.

Root described the Paramount receivership as the "most difficult and harassed" case he had ever been engaged in, relating that a staff of 30 attorneys from the Root, Clark, Buckner & Ballantyne office had worked "day and night" on the receivership, putting in 5,000 "lawyer hours."

"The work was so complex it had to be handled by our best men," Root said. "They worked under terrific pressure to save the Paramount busi-

(Continued on page 4)

Expect Code Board Choices by Sunday

Selections of names for appointments to the 32 clearance and zoning and grievance boards are expected to be completed by Sunday night, it was indicated yesterday following the first meeting of S. R. Kent, Charles L. O'Reilly, George J. Schaefer, W. Ray Johnston, Nathan Yamins and Ed Zukendall.

The initial session started at 9:30 P. M. yesterday at the Union League

(Continued on page 4)

House Group Aims 50% Tax at French

WASHINGTON, Jan. 26.—Authorization to the President to increase by as much as 50 per cent taxes on foreign corporations and individuals doing business in this country whose home countries impose restrictive taxes on American enterprises was voted

(Continued on page 4)

Stage Shows Heavy at Columbus Grossers

COLUMBUS, Jan. 26.—Evidence that this town is stage hungry is found in the fact that terrific grosses were piled

(Continued on page 2)

Allied Plans New Units In All States; Adjourns

With plans to invade all states not now represented in the organization approved yesterday as the three-day meeting of the board of directors drew to a close, Allied will set up a national cabinet of 24 to work with Sidney Samuelson, newly elected president, in carrying out the program. Units in the new territories will be set up simultaneously, it is declared.

According to the plan, six vice-presidents of the national association will be appointed within the next week or 10 days, one from the east, middle west, northwest, Rocky Mountains, west coast and the south. Each vice-president will adopt a regional cabinet of three exhibitors and each vice-president will be directly responsible to the national board of directors. This group will comprise the national cabinet.

Abram F. Myers, who left for Washington late last night, returns next week to confer with Samuelson and both will select the half dozen regional heads. Following appointment of the men, a meeting will be called in

(Continued on page 2)

Spokane Gets Nine Volunteer Censors

SPOKANE, Jan. 26.—One of the largest censor boards in the country has been named by Commissioner of Public Safety Colburn.

It includes the following: Mrs. Edna M. Ahlin, president Central Council of Parent Teachers; Lucia P. Davenport, executive secretary Y. W. C. A.; Mrs. Helma B. Nelson, executive secretary Social Service Bu-

(Continued on page 2)

Virginia Film Cuts Cost About $55 Per

RICHMOND, Jan. 26.—Every deletion ordered by the board of censors in Virginia costs approximately $55, not including the heavy expense continually devolving upon distributors in the shipment of films, re-shipment, re-editing and cutting.

This is revealed in the board's finan-

(Continued on page 2)

New Massachusetts Censor Bill Appears

BOSTON, Jan. 26.—Creation of a censor board of five "to supervise" the showing of pictures in this state is provided for in a bill now in the hands of the House printer. The board would include a woman, a clergyman and three others.

Deep in Black

The forthcoming quarterly report of Fox Films, minus Wesco, is expected to show a profit of over $1,000,000. Yesterday some estimates placed the figure as high as $1,250,000.

Federal Legal Aid Is Barred To Authority

Deputy Administrator William P. Farnsworth has received word from Washington that the Department of Justice will not defend members of the Code Authority other than Division Administrator Sol A. Rosenblatt in the suit of the Congress Theatre, Newark.

Each individual member will, therefore, consult his own attorneys.

It is understood Rosenblatt, Nicholas M. Schenck and M. H. Aylesworth, who were not served with papers at the last Code Authority meeting, have been served according to Rule 13 of Federal Equity rules.

(Continued on page 4)

Rosenblatt Hears Writers' Problems

HOLLYWOOD, Jan. 26.—The Writers' Guild is the first employes' organization to go into conference with Division Administrator Sol A. Rosenblatt. Its committee included Ralph Block, O. H. P. Garrett, Courtenay Terrett, Rupert Hughes, Anita Loos and their attorney, Larry Bielenson.

Among other things, they presented a detailed record of how they chose 10

(Continued on page 4)

Authority's Lists Get 7 More Names

With the release of seven names recommended for appointment on various clearance, zoning and grievance boards the Code Authority winds up the list of suggestions for these posts. The spe-

(Continued on page 4)

No New Setup Ready in RKO Receivership

Condition Is Improved, However, During Year

Despite significant progress made in the readjustment of RKO's financial affairs since the company consented to a friendly equity receivership one year ago today while its theatre subsidiary, Orpheum Circuit, was filing a voluntary petition in bankruptcy, no plan of reorganization to bring about an end of the receivership is in existence. A plan may be advanced by any creditor of the company at any time, but so far as is known no recognized move to develop one is under way.

At the time of its receivership, Jan. 27, 1933, RKO listed liabilities of $19,500,000 and assets with a book value of $80,500,000. Assets included a $75,000,000 investment in subsidiaries. Cash in bank at the time was reported at $122,106.

The prelude to this report was the company's net loss of $10,695,000 for

(Continued on page 4)

Argument Heard on Radio City Leases

Arguments on interpretation of RKO's original lease with Rockefeller Center, intended to determine whether the lessor is entitled to a claim of $15,000,000 or one of $2,000,000 against RKO, were heard yesterday before Thomas D. Thacher, special master in charge of the hearings on claims

(Continued on page 4)

Jersey House Sues Warners, Fox, U. A.

NEWARK, Jan. 26.—Copies of a summons and a complaint in a $250,000 damage action against Warner Brothers Pictures, Inc., United Artists Corp., and Fox Film Corporation, all of New York, and the Roth Amuse-

(Continued on page 2).

Stuart Post Hangs On Seattle Dicker

Herschel Stuart's F. & M. connection is contingent on consummation of a deal by the circuit with F.W.C. for the Paramount, Seattle. If and when the agreement is concluded,

(Continued on page 2)

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Allied Plans New Units In All States; Adjourns

(*Continued from page 1*)

Chicago at which time the vice-presidents will be informed of the expansion program details.

With Myers being reelected as general counsel, headquarters will be retained in the Capital. Herman A. Blum of Baltimore is the new treasurer.

Allied units in Milwaukee, Minneapolis, Detroit, New Jersey and Pittsburgh will call meetings next Tuesday to discuss the directors' meeting.

Attending the three-day meet were Myers, Washington; Samuelson, Newton, N. J.; Nathan Yamins, Fall River, Mass.; Aaron Saperstein, Chicago; Fred Herrington, Pittsburgh; Walter Littlefield, Max Levenson, Edward Ansin, Boston; J. P. Adler, Milwaukee; H. M. Richey, J. C. Ritter, Detroit; Ray Branch, Hastings, Mich.; Al Steffes, Minneapolis; Blum, Baltimore; Willis Vance, Fred Strief, Cincinnati; M. B. Horowitz, Cleveland; Abe Stone, M. Harrell, Albany; William C. Smalley, Cooperstown, N. Y. H. A. Cole of Texas did not attend.

All men have left for their respective cities with the exception of Yamins, who is staying over until Sunday night attending the committee meeting on clearance and zoning and grievance boards' selections.

Spokane Gets Nine Volunteer Censors

(*Continued from page 1*)

reau; Mrs. B. F. Westmore, past president State Federation of Women's Clubs; Mrs. D. E. Crowley, president Diocesan Council of Catholic Women; Rev. John F. Blake, pastor Our Lady of Lourdes Church; Rev. Francis E. Reese, pastor Presbyterian Church; E. W. Jorgenson, lumberman; Louis Wasmer, radio station proprietor.

The board serves without pay. Commissioner Colburn, as the official censor, hears the reports of the board and makes the final decisions.

Virginia Film Cuts Cost About $55 Per

(*Continued from page 1*)

cial report, embracing only the cost of maintaining the board, which, through the 11 years of its existence, has averaged in excess of $20,000 annually, with no allowance for the rental space the offices occupy.

Covering the 11 years of its existence, the board has averaged exactly one deletion a day, or 265 a year, out of a yearly average review of about 1,780 pictures. This is a slight fraction above five pictures a day.

Stage Shows Heavy Columbus Grossers

(*Continued from page 1*)

up at two local houses in successive weeks.

Olsen and Johnson in "Take a Chance," at the RKO Palace this week, plus "The Meanest Gal in Town" on the screen, made box-office history with an estimated gross of $20,000.

Last week Ted Lewis packed Loew's Ohio to the tune of $18,400, the biggest return this house has had in many moons. "The Woman in His Life" was the screen feature.

Stuart Post Hangs On Seattle Dicker

(*Continued from page 1*)

Stuart will be placed in charge of the house.

Before Stuart joined Publix he had a deal on with F. & M. to assume management of the house mentioned, but when it failed to materialize he joined Publix.

Vogel on Tour

A-Mike Vogel, chairman of the Managers' Round Table Club of *Motion Picture Herald*, leaves tonight for a short probing tour of New England conditions.

F. & M.-Fox Deal Set

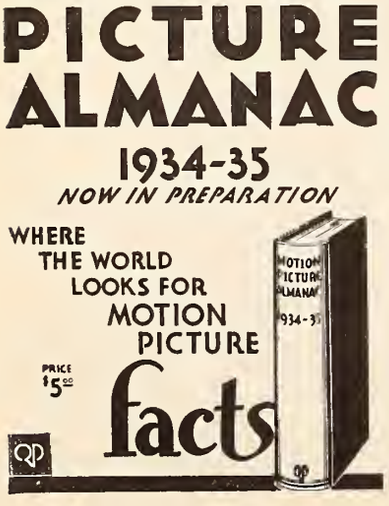
Fanchon & Marco have taken over the Fox, St. Louis, and are now operating the house with Harry Greenman as manager. Double features will continue as the policy, Harry C. Arthur stated yesterday.

Van Every Hurries West

Dale Van Every left by plane yesterday to reach the Universal studios in time for a conference with Carl Laemmle, Sr. and Jr., before they start east Monday.

"U" Meeting Set

E. T. ("Peck") Gomersall, one of the Universal sales chiefs, left for Chicago last night where he will hold a sales meeting of 12 exchanges tomorrow. He returns Tuesday.



Eastman Pfd. Rises 1⅛

	High	Low	Close	Net Change	Sales
Consolidated Film Industries	4½	4½	4½	+ ⅛	200
Consolidated Film Industries, pfd	14¼	14	14	— ¼	900
Eastman Kodak	88¾	87¾	88½	+1	2,300
Eastman Kodak, pfd	122	122⅛	122⅛	+1⅛	4,000
Fox Film "A"	15⅜	14¾	15	+ ⅛	1,900
Loew's, Inc.	29¾	28¾	29	— ⅜	14,900
Paramount, cts.	3¾	3⅛	3⅜	— ¼	26,300
Pathe Exchange	2¼	2¼	2¼	+ ⅛	20,900
Pathe Exchange "A"	13⅝	12⅝	12⅝	— ⅜	2,600
RKO	3	2⅞	2⅞	— ⅛	1,900
Warner Bros.	7	6¾	6¾	— ¼	10,000

Technicolor Sole Curb Opener

	High	Low	Close	Net Change	Sales
Technicolor	10¼	10¼	10¼	.....	100

Keith Bonds in 2-Point Gain

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	6¼	5½	6⅛	+ ⅛	20
General Theatre Equipment 6s '40, ctf	5½	5½	5½	— ⅞	5
Keith B. F. 6s '46	60	60	60	+2	3
Loew's 6s '41, ww deb rights	92	91	91	.....	5
Paramount Broadway 5½s '51	36⅝	36	36	— ¾	10
Paramount F. L. 6s '47	36⅜	36	36	—1	3
Paramount Publix 5½s '50	37¼	35⅞	35⅞	—1⅝	26
Pathe 7s '37, ww	88	87¼	88	+1	5
Warner Bros. 6s '39, wd	52¼	51	51	—1	42

Flash Reviews

"Four Frightened People"
(Paramount)

The cast, competent certainly, do the best it can, but the story trea ment never gives it much of a chan to get beyond the routine. Producti values...are rich....

"Keep 'Em Rolling"
(Radio)

HOLLYWOOD, Jan. 26.—The produ tion is of program calibre, of partic lar interest to horse lovers and youn sters.

"Lone Cowboy"
(Paramount)

The story, in the simplicity of i telling and straightforwardness of i acting, makes for effective and oft moving entertainment.

"The Ghoul," yesterday's opener the Rialto, was reviewed on Nov. 2

Jersey House Sues Warners, Fox, U. A

(*Continued from page 1*)

ment Company of Morristown, N. were filed in Federal Court yesterda The plaintiff is the Nithold Brothe Corp., owners of the Palace, in Mo ristown.

The plaintiffs allege that the defen ants entered into a combine in viol tion of the Sherman Anti-Trust A and the Clayton Anti-Trust Act a as a result of this illegal combine t plaintiffs suffered a loss of $75,0 They ask this amount as actual dar ages and the balance of the $250,0 as punitive damages.

The plaintiff states that the defen ants entered into a combine und which they first charged the plaintif exorbitant prices for pictures a later refused to sell them pictures all. As a result, the complaint alleg the plaintiffs were compelled to clo their theatre in Morristown.

Kelly Plans to Sail Soon for Australi

Arthur W. Kelly, vice-president charge of foreign distribution f United Artists, who returned Thur day after six months, will quit the ci again within a month, this time f Australia. While abroad Kel opened offices in Yugoslavia, Polan Estonia, Egypt, Syria, Persia. P estine and Austria-Hungary.

Joseph M. Schenck, president United Artists, who returned with Kell revealed he had made arrangemen for the production of 20 features England, eight by London Films, t balance by British and Dominio He said he had also arranged for a exchange of players between the studios and his own. Two of t British players to come to Hollywoo are Jack Buchanan, who has be working in England opposite Lily D mita in "Sons o' Guns," and Eliz beth Bergner, who appears wi Douglas Fairbanks, Jr., in "Catheri the Great," a London Films produ tion which United Artists will r lease.

Start Col. Chicago Mee

A two-day session of the Columb western sales force gets under wa in Chicago today with Abe Montagu general sales manager, presiding.

GO ON THE GOLD-HEARTED STANDARD!

. . . with the Biggest Entertainment Value Broadway has ever offered!

. . . for the Biggest Cause Humanity Can Undertake!

ALL STARDOM TURNS UP IN THE CAST!

You Can't Beat These Stars
To Stage An Unbeatable Show
To Beat Tuberculosis:

EDDIE CANTOR
GEORGE M. COHAN
JACK PEARL
GEORGE JESSEL
MITZI GREEN
JOE PENNER
BOB HALL
ABE LYMAN AND BAND
MILTON BERLE
ED SULLIVAN
THE ETON BOYS
UNA VILLON
WILL OSBORNE
BEN BLUE
SOPHIE TUCKER
BILLY HOUSE
EMIL BOREO
BLOCK AND SULLY
WILLIE AND EUGENE HOWARD
BUDDY ROGERS
BILL ROBINSON
LYDA ROBERTI
BOB HOPE
CALIFORNIA COLLEGIANS
LILLIAN ROTH
"VOICE OF EXPERIENCE"

Are Only a Few Who Will Perform at the Monster

MILK and EGG LEAGUE BENEFIT

FOR THE LOS ANGELES SANITORIUM FOR NEW YORK'S TUBERCULAR POOR

NEW AMSTERDAM THEATRE

42nd STREET WEST OF BROADWAY

TOMORROW NIGHT 8:15

Make Your Reservations NOW!

TICKETS ON SALE AT THE NEW YORK STRAND
Or Telephone Circle 7-5900

Percentage of the Proceeds Go to the Actors Fund of America

No New Setup Ready in RKO Receivership

(Continued from page 1)

1932, which gave the company an operating deficit for the year of $11,600,000. The first report of Irving Trust Co., the RKO receiver, made note that upon taking over RKO administration it came into possession of only $2,846 in actual cash.

One year later, assets have been written down to $69,799,219. The $10,695,000 loss of 1932 has been reduced to a net loss of $3,356,552 in 1933. Cash, in current and working assets, approximates $2,500,000. Theatres which were in the red to the extent of an average weekly loss of $30,000 at the time of the receivership, have had the loss approximately halved during the first three-quarters of 1933, with an indicated progressive improvement still being noted. In addition, the theatre situation is continually being bettered by adjustment of rents on numerous leases, with reductions already obtained aggregating more than $250,000 annually. Theatres perennially in the red have been dropped, with the result that of the 162 theatres operated at the time of the receivership only 104 remain today.

Radio City Houses Lose

While theatres did not figure as importantly in RKO's fianancial difficulties as they did in those of Paramount Publix, they nevertheless failed as a revenue source during the general business depression and accounted for heavy losses. Added to losses on circuit operations was an additional loss of $134,000 on the two Radio City theatres in the first nine months of operation. Changes in policy and reduction of operating costs eventually improved results from the two theatres to the extent where they are now reported to average a monthly net of approximately $75,000.

Creditors' claims aggregating $23,285,143 have been filed against the company, exclusive of a contested claim for $15,000,000 filed by Rockefeller Center for defaulted rents and construction costs. There is a possibility that this claim may be reduced to $2,000,000 if it is successfully contested. Approximately $17,400,000 of the total claims filed against the company are for rent. All are being contested by the receiver in hearings now in progress before a special master assigned to hear them. It is regarded as likely that as soon as the rent claims, together with that of Rockefeller Center, have been permanently settled or adjusted, a creditors' group will come forward with a plan of reorganization. This may entail another four to six months.

Film Activities Normal

Meanwhile, RKO is continuing its operation out of film distribution and other corporate revenue; making no outside loans. Activities of the production and distribution companies have been maintained at normal and theatre operations, wherever they warrant, are being continued, but on reduced overhead as compared with 1932. RKO, as a production, distribution and exhibition organization, has suffered no loss of prestige in its position as one of the major companies of the industry during the year of its financial readjustment as an estate in receivership. If anything, its position has been strengthened by the production and box-office performance of some of its 1933 product which achieved a place with outstanding pictures of the year.

Conceding, first, a continuation of current business improvement, RKO is given a chance of getting out of receivership by the late summer or early fall. An unofficial estimate places it at considerably more than half-way toward that goal at the present time.

Argument Heard on Radio City Leases

(Continued from page 1)

filed by creditors under the RKO receivership. A ruling on the matter will be made by Thacher in about two weeks.

RKO's original lease on the two Radio City theatres and office space in the RKO Building provided that in the event of rent defaults the lessee would be liable for construction costs on the property. Rockefeller Center subsequently filed claims for $15,000,000 against RKO, alleging it was entitled to this amount under the lease. Objections to the claim were made by Irving Trust Co., equity receiver for RKO, several weeks ago. Yesterday's arguments were on interpretation of the lease agreement and points of law involved in deciding the amount of the claim to which Rockefeller Center is entitled.

U. S. District Court Judge William Bondy declined early this week to approve a new RKO lease with Rockefeller Center in its present form.

Authority's Lists Get 7 More Names

(Continued from page 1)

cial committee named by the authority to select the boards started its task yesterday morning at the Union League Club, the session opening at 9:30 A. M. The meetings will continue indefinitely, but approval of the boards is not expected by the authority until the next session, Feb 9.

The final batch of names follows:

Atlanta—W. Burton Smith.
Charlotte—Mrs. Kenneth Richardson.
Los Angeles—Lester J. Fountain, Floyd Rice.
Pittsburgh—Joseph S. Skirball, Arthur Levy.
San Francisco—Bruce Johnson.

Expect Code Board Choices by Sunday

(Continued from page 1)

Club, broke up at 6 P. M. for dinner and reconvened at 8 P. M. and continued until late in the night. The six members and Executive Secretary John C. Flinn resume this morning and will continue at the work tomorrow, with the impression prevailing the selections will be finished by tomorrow night.

Progress was reported after last night's session, but no board listings will be released until the authority approves the selections.

Gottlieb to Mexico

Bernard Gottlieb, head of the Mexico M-G-M office, has returned to his headquarters after several weeks here.

Federal Legal Aid Is Barred To Authority

(Continued from page 1)

which state that a person resident at the homes of the men mentioned can be subpenaed in absence of the persons to whom the summonses are made out.

Individual members of the Code Authority available for inquiry yesterday said they had not retained attorneys yet. Indications are that all will agree on one attorney to represent them if, and when, the action is brought to trial.

WASHINGTON, Jan. 26.—No decision has yet been reached by legal experts of the NRA as to whether they will defend the industry members of the Code Authority in the suit brought in New York. The case is being studied by the Administration's legal staff and recommendations are expected to be laid before Donald Richberg, general counsel, early next week. So far as could be learned today, the point involved is whether the members of the Code Authority are to be considered as officials of the Government.

So far as Division Administrator Sol A. Rosenblatt is concerned, the Government will defend him, since any of his actions attacked in the suit were taken as an official of the Administration. No suit against a code authority alone could involve the Administration representatives, it was pointed out, since they have no vote and any action they might take would be purely negative. The code itself, of course, also will be defended, since, under the Recovery Act, it has all the effect of a Federal law.

Filing of the suit for the first time brought directly before the Recovery Administration the question of its responsibility for the actions of a code authority. In other suits the constitutionality of codes has been attacked, but the defendants have been Government officials as, in the case of suits against the oil code, Secretary of the Interior Ickes, oil administrator. Whether the Administration will defend the code authority in the present case is to be determined "on the merits of the situation," it was said tonight.

Rosenblatt Hears Writers' Problems

(Continued from page 1)

nominees for the producer five-five arbitration committee, from which Rosenblatt expects to pick five.

Claiming to represent 90 per cent of the recognized writers, the committee urged Rosenblatt to take these nominations seriously. The committee had been allotted an hour, but spent two hours and a half with the division administrator.

Rosenblatt is spending the week-end out of town. He declined again yesterday to make any statements regarding conferences.

Group conferences with agents are scheduled for this afternoon and he will meet members of the Actors' Guild tonight at the home of Ann Harding.

Root Insists Size of Para. Fee Justifie

(Continued from page 1)

ness from complete disintegration w which it was threatened. One of th Ethan Alyea, suffered a breakdow

Root pleaded for restoration of $5,000 cut from the receivership fee $30,000 asked by Charles D. Hil co-receiver with Adolph Zukor. fee asked by Zukor was $25,000.

"Hilles must have been a valua man in making contacts during bank holidays for Paramount," Ju Woolsey commented. "As Republi national chairman he must have contacts nationally, and you say company's business was conducted a national scale."

Opposition to the payment of part of the $218,000 fees was voi by Saul E. Rogers, attorney for Paramount bondholders' group, on grounds that the court was with authority to grant an allowance cause, he charged, the equity rece ership was an improper procedure that Paramount should have appl only for bankruptcy. Samuel Zi attorney for another bondholde group, contested payment of the f on the ground that the receivers was "fraudulent and collusive."

Judge Woolsey held that an inv tigation of the receivership was of order at this time, declaring t the case had "progressed too fa Zirn then asked that "not more th one-third of the total fees asked be allowed."

Counsel for the Central Hanov Bank, a creditor for $1,400,000, clared that, while not wishing to pose payment of the fees, they reco mended careful scrutiny by the co of the "substantial" allowances ask by Root, Clark, Buckner & Balla tyne, receivers' attorneys, and Gol mark and Colin, Paramount attorne The former has petitioned $125,0 and the latter $25,000.

Judge Woolsey gave the attorne until Feb. 14 in which to file ad tional briefs and make replies.

House Group Aims 50% Tax at Frenc

(Continued from page 1)

today by the House Ways and Mea Committee.

The proposal is said to be aimed France. It came up in the course consideration of the general reven bill now before the House and w urged by Representative Vinson Kentucky.

American companies and individua in France, especially film concer have been the target for a variety taxes and import quotas during t past year or two.

Close Cameo Contract

Jack Shapiro and Harry Shiffma yesterday closed with RKO to tal over the Cameo, effective today. Lou Blumenthal, previously mentioned the deal, is not interested.

Balcon Due Soon

Michael Balcon, British producer, due in from London shortly.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 35. NO. 24 NEW YORK, MONDAY, JANUARY 29, 1934 TEN CENTS

McCarthy Says Objectionable Ads End Apr. 1

All Pre-Cleanup Copy to Be Out by That Time

Objectionable advertising copy of major producer-distributors and affiliated theatres is expected to be out of circulation by April 1, J. J. McCarthy, head of the M. P. P. D. A. advertising advisory department, said Saturday.

McCarthy explained that a complete cleanup of major company advertising could not be expected be-

(*Continued on page 4*)

New Silent Ticket Register on Market

A new silent ticket register, which, it is claimed, will revolutionize the sale of tickets at box-offices, has been placed on the market by the National Ticket Register Co. The device, according to Jack Enslen, general manager of the company, has interchangeable units, an 11-tumbler lock which makes it possible to lock the entire machine with a single key and visible ticket numbers under the top-plate.

Many Promoted by Ross Federal Service

Harry Ross, president of the Ross Federal Service, announced Saturday the following promotions in that organization:

Walter Brown, manager of the Chi-

(*Continued on page 4*)

Sunday Bills Come Up for Va. Hearing

RICHMOND, Jan. 28.—Public hearing is to be given by the House Morals Committee on Tuesday night

(*Continued on page 4*)

His Answer

"Good pictures is the answer to all cycles," Eddie Mannix, M-G-M production head, states. "And that stands forever."

"It doesn't matter whether pictures are costume affairs, dramas or melodramas. If they are good they will always do the business."

Mannix is here for several weeks' vacation, but is spending most of his time in conferences.

Report Allied To Work with Film Critics

May Help Raise Fund to Aid Research Council

BOSTON, Jan. 28.—Allied States is understood to have cast its lot with the M. P. Research Council, anti-industry propagandist foundation, in adopting resolutions at its recent directors' meeting in New York endorsing the council's policies and committing Allied exhibitors to full cooperation in raising $200,000 to help finance a two-year campaign for the elimination of block booking, blind selling and to provide for trade showings and "advancement of the motion picture art," MOTION PICTURE DAILY learned yesterday.

The council "hopes" for an immediate contribution from Allied through its national executive committee and

(*Continued on page 4*)

Allied Files 2nd Suit vs. Authority

A second suit was filed against all members of the Code Authority on Saturday, this time the complaint being filed by Fred Herrington of Pittsburgh and W. A. Steffes of Minneapolis, both directors of Allied. The suit seeks an injunction restraining the authority from denying exhibitors the right to file code assents with qualifications.

The plea will be argued tomorrow

(*Continued on page 4*)

NRA Official Not Yet Served in Suit

Division Administrator Sol A. Rosenblatt is the only member of the Code Authority not yet served with a summons by a U. S. marshal in the suit of the Congress, Newark, against the authority. Rosenblatt is in Holly-

(*Continued on page 4*)

Uses Back Door

Hollywood, Jan. 28.—Sol A. Rosenblatt pulled a nifty on the Educational publicity department while making his rounds of the studios.

He appeared at the public relations entrance, which is located on a side street. A startled secretary politely stammered that he had come in the back door.

"I always come in the back door," responded Rosenblatt. And he exited the same way.

8 Boards Unnamed As 2-Day Meet Ends

Although it was expected personnel of all 32 clearance and zoning and grievance boards would be completed by last night, the committee of six working on the tentative selections concluded a two-day meeting Saturday evening with eight boards yet to be decided upon. The session broke up at 6:15 P. M. Saturday at the Union League Club.

Secretaries of the boards have not been designated and will not be until

(*Continued on page 4*)

Cincy's Late Shows Feel Repeal Boost

CINCINNATI, Jan. 28.—Ohio exhibitors who have envisioned bigger Sunday business because of repeal attracting a greater number of diners to the downtown eating places, now find they have been viewing a mirage.

The state law requires all bars to close from midnight Saturday until Sunday midnight. Downtown theatres report a noticeable nightly increase in attendance at the late shows, which they are inclined to credit to repeal.

Klangfilm Pact to Stop German Suits

WASHINGTON, Jan. 28.—Klangfilm patent infringement suits against German exhibitors will be abandoned

(*Continued on page 4*)

Extension of Assents' Date Asked by 'CA'

Expect Johnson to Grant Delay to Feb. 28 Today

With deadline for code assents only three days off, the Code Authority held a special meeting Saturday and telegraphed Hugh S. Johnson for a second extension, this time setting Feb. 28 as the new expiration date for postmarked compliances. The Administrator is expected to grant the postponement today.

The special session is the first of its kind called by the authority and is understood to have taken place at the Bar Association Building.

First postponement of the date by which assents must be returned was given several weeks ago when the Jan. 11 date was set back to Jan. 31. This was due to compliance forms being unexpectedly delayed. The new extension is sought as a result of exhibitor requests from all over the country, it is said. Theatre owners who have not studied the code are seeking more time before assenting.

Rosenblatt Meets Agents; No Action

HOLLYWOOD, Jan. 28.—Hollywood agents' distrust of one another was eloquently revealed to Division Administrator Sol A. Rosenblatt at his first meeting with the group in a late week-end session at the Beverly-Wilshire, attended by 50 agents.

The absence of a centralized group sufficiently trusted by all to be authorized to speak for the agents resulted in a "dumb" meeting, as no one was prepared to assume the role of spokesman. Unable to make head-

(*Continued on page 4*)

Seek Opinions from California Showmen

SAN FRANCISCO, Jan. 28.—Sending out of questionnaires to all 388 theatres in northern California is to be urged by the I. T. O. as soon as the

(*Continued on page 4*)

Oklahoma Can't Take It

Oklahoma City, Jan. 28.—There may be something besides oxygen and hydrogen in the Oklahoma air, but native sons—and daughters—don't want their best friends to tell them.

In "Dinner at Eight" Billie Burke says: "They smell of Oklahoma"—meaning Wallace Beery and Jean Harlow—but when she says it in this state hisses start.

Morris Lowenstein, president of the theatre owners, has protested to Will H. Hays and Hays has protested to M-G-M, but Billie Burke is still casting aspersions.

A Word for It

Local exhibitors, like the Greeks, have a word for it.

They're calling 'em groaning and zoning boards.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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Editor-in-Chief and Publisher
MAURICE KANN
Editor
JAMES A. CRON
Advertising Manager

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Players Here for Trip

Among those who have arrived in New York to start the "Moulin Rouge" tour are George Bancroft, Dorothy Dunbar, James, Lucille and Russell Gleason, Antonio Moreno, Leo Carillo, Hoot Gibson, Eddie Quillan, Jack Mulhall, Creighton Hale, Ben Turpin, Roscoe Ates, Anna Q. Nilsson, Nancy Welford, Doris Hill, Mary Carlisle and John Hundley.

They start their nationwide tour in Washington Feb. 1.

"Christina" Closes

CLEVELAND, Jan. 28.—"Queen Christina," roadshowing at the Ohio, closed last night after one week. The picture did not draw at advanced prices.

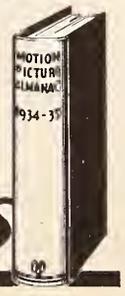
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PRICE $5.00



Insiders' Outlook

LOOKS like a lively late winter and early spring. Both United Artists and Paramount, as it happens, will fight it out for top money across the land with pictures dealing with the statecraft and lovecraft of Catherine of Russia, the gal who went for tight uniforms and tall soldiers. U. A. is that keen for its opus, called "Catherine, the Great," it has leased the Astor for a two-a-day run beginning Feb. 14 and has set national release a brace of days later. Paramount's film, said to cost about $1,200,000, stars La Dietrich and will be released in late April as "The Scarlet Empress." Interesting as a slant, and perhaps complicated, is the fact the Loew circuit here in New York gets the Dietrich film on its split of Paramount with RKO. The circuit plays all U. A. on a franchise and so will find itself with two important pictures dealing with the same subject matter, not far apart. Fun, eh! . . .

▼

Number two is the situation on adventure films. Clyde Elliott, who had much to do with "Bring 'Em Back Alive," dug into the Orient and brought back for Fox "Devil Tiger." It opens at the Rialto in a couple of days. Separately and again for Amedee Van Beuren, Frank Buck produced "Wild Cargo," on which much editing remains to be done. Fox plans to shoot its film on Feb. 16; RKO figures the Buck film won't go out before a month beyond that. It is said about Van Beuren that he relied on having the field pretty much to himself. Only now he won't and that doesn't set so well. In this case, as in the case of Catherine's glorification, the steam cooked up by the distributors will have substantial to do with the results, always taking into consideration what's been caught on the celluloid, naturally. . . .

▼

Reads the code assent form: "The undersigned hereby approves, adopts and assents to the Code of Fair Competition for the Motion Picture Industry as approved by the President on Nov. 27, 1933 . . ." Some of those fire-eating Cleveland independents, however, have their own ideas. The wires tell of a scheme whereby exhibitors are signing all right, but striking out the fourth word which is "approves." This in the face of Sol Rosenblatt's statement that signatures are N.G. if any part of the assent form is stricken out. . . . More merry notes: United Artists and Radio both reported planning versions of "The Three Musketeers.". . .

▼

The sex urge among the northland folk persuades Metro to advertise "Eskimo" here as "Eskimo-Wife Trader." In England, it's known as "Mala, the Magnificent.". . . United Artists may follow the "Catherine, the Great" run at the Astor with "The House of Rothschild." The latter, starring George Arliss and produced by Darryl Zanuck, is being built as 20th Century's ace effort of its first year of existence. . . . If the Music Hall must run two-reel comedies, the selection might be better than some of the Radio two-reelers that have been spotted in there. . . .

▼

Apparently just another booking, playdates on "Sitting Pretty" over the RKO city circuit go far

(*Continued on page 4*)

Trading Light on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	25⅛	25⅛	25⅛	—1⅛	200
Consolidated Film Industries	4¼	4¼	4¼	— ¼	200
Consolidated Film Industries, pfd	14	13¾	14	.....	400
Eastman Kodak	87¾	87	87¾	— ¾	1,000
Fox Film "A"	15	15	15	.....	200
Loew's, Inc	29⅜	28¾	29⅛	+ ⅛	3,600
Pathe Exchange	2⅜	2¼	2⅜	+ ⅛	200
Pathe Exchange "A"	12¾	12½	12⅝	.....	200
RKO	2⅞	2¾	2¾	— ⅛	300
Warner Bros.	6¾	6⅝	6¾	.....	3,100

Technicolor Only Curb Issue

	High	Low	Close	Net Change	Sales
Technicolor	10¾	10¼	10½	+ ¼	200

Sales Light on Bond Market

	High	Low	Close	Net Change	Sales
General Theatres Equipment 6s '40	6	5⅞	6	— ⅛	4
Keith, B. F., 6s '46	60⅜	60	60	.....	6
Loew's 6s '41 ex war	92	91	91	.....	8
Paramount Broadway 5½s '51	35¼	35	35	—1	9
Paramount F. L. 6s '47	35⅜	35	35	—1	14
Paramount Publix 5½s, '50	36	35⅝	35⅝	— ¼	7
Warner Bros. 6s '39 wd	51½	51¼	51¼	+ ¼	6

Spot News from Columbia



Together, for the first time—CLARK GABLE and CLAUDETTE COLBERT—in "It Happened One Night." A Frank Capra production of a grand romance.



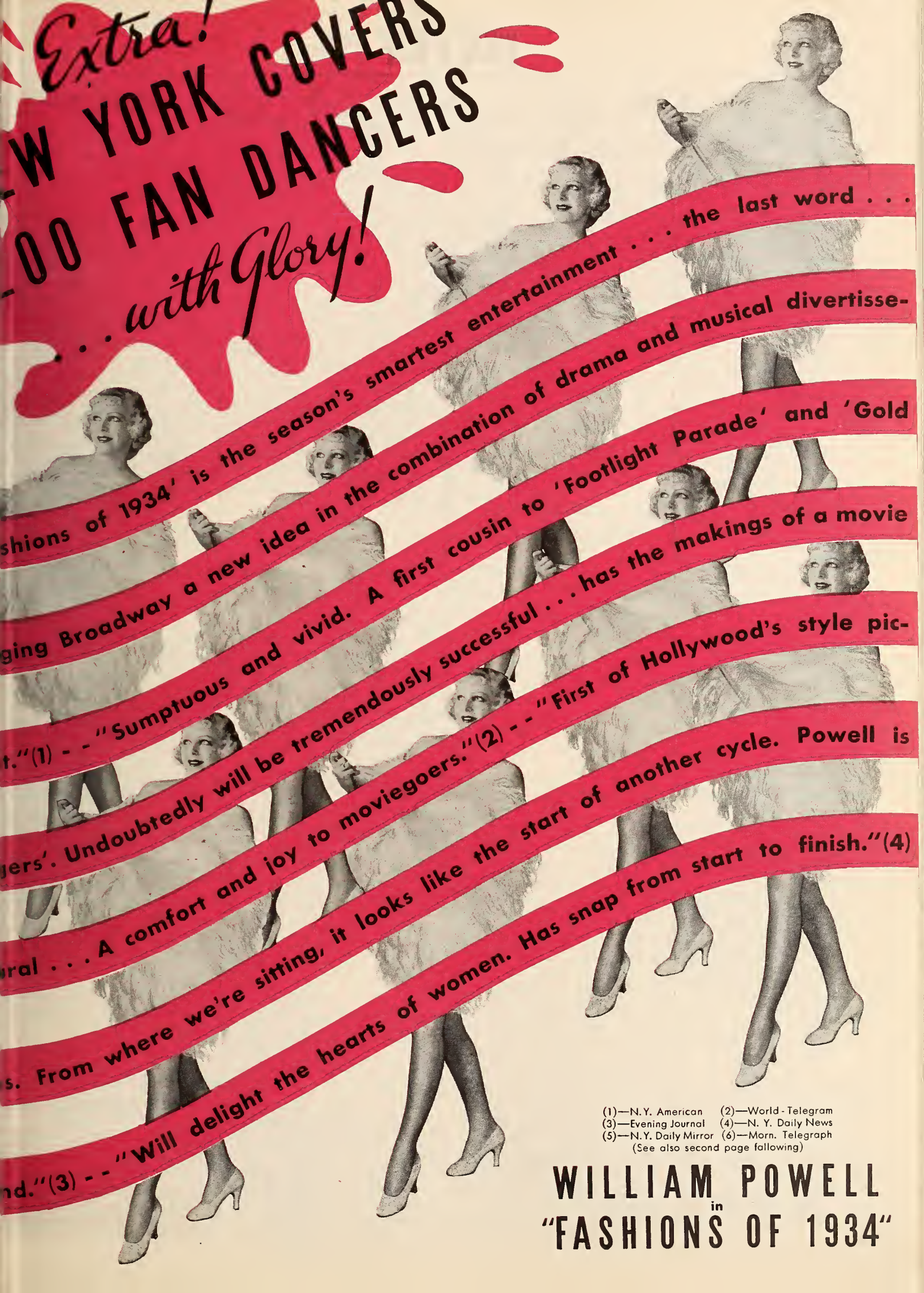
Hailed by Hollywood as the screen's greatest emotional triumph, "NO GREATER GLORY" is destined to add greater fame to Frank Borzage's career. Based on Ferenc Molnar's famous novel.



Howard Hawks all set to start on "20th Century," starring JOHN BARRYMORE — with Carole Lombard as the feminine lead. From the Broadway smash hit by Ben Hecht and Charles MacArthur.



When you laugh at the antics of "SCRAPPY"—the world laughs with you. Here's a one reel cartoon comic known and enjoyed from Pole to Pole and everywhere else that English is spoken!



(1)—N.Y. American (2)—World-Telegram
(3)—Evening Journal (4)—N. Y. Daily News
(5)—N.Y. Daily Mirror (6)—Morn. Telegraph
(See also second page following)

WILLIAM POWELL
in
"FASHIONS OF 1934"

Report Allied To Work with Film Critics

(Continued from page 1)

for the fixing by Allied of a definite figure as the "amount which it will seek to raise through its members during the next four months." Allied members, however, are not to be officially advised by their executive board of the full content of the resolution which has been passed until Feb. 20, when their cooperation will be asked.

Under the plans agreed on by Allied and the council, Allied's executive committee becomes the M. P. Exhibitors' Cooperation Committee for the purposes of the council's campaign and will be charged with responsibility for carrying out the campaign of cooperative activity between the two organizations. A member of Allied's executive committee will be elected chairman of the council's exhibitors' cooperation committee and will be designated a member of the national executive committee of the council. The council will work with the Allied committee and its headquarters in New York will be utilized as the executive office of the exhibitors' cooperation committee.

The council is headed by William Short and has been active here and elsewhere in recruiting sentiment critical of the industry among women's clubs, church and civic organizations. It was instrumental in interesting Dr. A. Lawrence Lowell of Harvard in industry affairs and also figured in the publication of "Our Movie-Made Children," a book sponsored by the Payne Foundation and purporting to reveal the damaging influence of films on juveniles.

Many Promoted by Ross Federal Service

(Continued from page 1)

cago office, has been made mid-west division manager, with supervision over Chicago, Des Moines, Omaha, Kansas City, St. Louis, Milwaukee and Indianapolis. Arthur Kane, Los Angeles manager, is now west coast division manager, with supervision over Portland, Seattle, San Francisco, Los Angeles, Denver and Salt Lake City. Max Ungerman, Denver manager, has been transferred to Atlanta. Joseph Page, manager of the Indianapolis office, succeeds him. J. E. Jolly, manager in Atlanta, succeeds Page.

The promotions have been made in line with the firm's policy of promoting from within the organization.

Sunday Bills Come Up for Va. Hearing

(Continued from page 1)

on three bills—one to liberalize the blue laws, another to permit parimutuel betting and a third to abolish the state censor board.

Film interests are maintaining complete silence about their attitude on the three bills. In the meantime ministers are conducting an active campaign.

McCarthy Says Objectionable Ads End Apr. 1

(Continued from page 1)

fore that date due to the fact that pictures released prior to Dec. 1, when his department first began to function, would be getting general playing time up to then and would be sold and exploited with advertising material prepared for them prior to Dec. 1. McCarthy declined to make any predictions as to action by independent producers and distributors on copy regulation.

Editor and Publisher, in a current issue, comments on an "improvement" in film advertising following a national observation of copy.

McCarthy reported that several hundred newspapers and magazines throughout the country have given attention to the work of the M. P. P. D. A. advisory department in editorial and film columns.

Klangfilm Pact to Stop German Suits

(Continued from page 1)

as a result of an agreement with the Cinema Owners' Ass'n. under which Klangfilm will bring on the market a new low-priced apparatus for small theatres, Trade Commissioner George R. Canty, Berlin, reports to the M. P. Division of the Department of Commerce.

Under the agreement theatres using unpatented apparatus without arrangement with Klangfilm will be freed of future patent infringement suits on purchase of the new apparatus and, similarly, theatres having made arrangements for settlement of infringement suits will be freed of payment of future fees.

Carter-Machamer to Do Cartoon Series

Carter-Machamer will produce six one-reel shorts based on the "Gags and Gals" page in the *Sunday Mirror*. Jefferson Machamer, cartoonist, and D. L. Carter, formerly with Paramount and Universal, are at the head of the company which will work at the Photocolor studios, Irvington-on-the-Hudson. Pauline Moore of "Murder at the Vanities" will have the leading role in the first subject.

Michigan Allied to Select Board Names

DETROIT, Jan. 28.—Following return of H. M. Richey from New York where he attended the Allied board of directors' meeting, the business manager of the local unit stated he will call a meeting of the members after Feb. 9, when it is expected appointments to the 32 clearance and zoning and grievance boards will be announced, to discuss local zoning.

Hicks Sails Wednesday

John W. Hicks, Jr., head of the Paramount foreign department, sails Wednesday on the *Manhattan* on a semi-annual sales trip. He will cover most of the Continent and return to New York in about seven weeks.

Rosenblatt Meets Agents; No Action

(Continued from page 1)

way under such circumstances, Rosenblatt wound up the meeting by instructing the agents to appoint committees to represent each faction and put in an appearance at a later meeting prepared to discuss their position. The job of organizing the committees admittedly will be a tedious one in view of the recognized reluctance of agents to trust one another.

During the session the 30-day "raiding" clause was discussed mildly and indeterminately, but with a preponderance of agent sentiment opposed to it. Also mentioned was the question of state licensing of agents which Rosenblatt has said will not be included in the code unless found necessary.

At a session earlier in the day with a small group representing singers Rosenblatt was informed that the warblers who appear on and off the stage feel they cannot be classified as regular screen performers and asked for a code of their own. They were asked to submit a definite plan later for consideration.

Allied Files 2nd Suit vs. Authority

(Continued from page 1)

in the U. S. District Court at 10 A.M. Summonses were served on Executive Secretary John C. Flinn, S. R. Kent, Charles L. O'Reilly, Nathan Yamins, W. Ray Johnston, George J. Schaefer and Ed Kuykendall at the Union League Club Saturday morning.

Filing of the suit Saturday marks exactly one week since instituting of the first suit by the Congress theatre in Newark, N. J.

8 Boards Unnamed As 2-Day Meet Ends

(Continued from page 1)

after the boards' personnel is approved by the Code Authority on Feb. 9. Recommendations from members of the 32 boards for local secretaries will be sought by the authority and their appointments will be held up until the financial budget and salaries are set, it is understood.

Publication of the names is upheld pending approval by the authority.

Division Administrator Sol A. Rosenblatt returns from the Coast Feb. 7.

Seek Opinions from California Showmen

(Continued from page 1)

clearance and zoning and grievance boards begin to function under the code.

Members of the association feel that in this way the attitude of exhibitors on dual billing, uniform admission prices, trick admission hours and premiums can be learned.

To Meet Wampas

HOLLYWOOD, Jan. 28.—Division Administrator Sol A. Rosenblatt's first public address here will be made Tuesday at a Wampas meeting.

Insiders' Outlook

(Continued from page 2)

beyond. This was the first Paramounter to be picked up by Radio since "I'm No Angel" and marked Armistice Day in the local difficulties between circuit and distributor. Held up for various reasons over a period of some weeks were six pictures, including "Design for Living," "Tillie and Gus," "Take a Chance," "White Woman" and "The Girl Without a Room." Refusal on RKO's part to pick up prints meant a delay in all other metropolitan houses which had booked the same releases. All's jake now. . . .

▼

Lots of things to keep eagle eye on in the cleanup campaign now being pushed hard by the Hays office. There is the matter of varied points of view, for instance, which leads to the incident wherein Dr. James Wingate had passed certain stills on the coast for the same photos to be rejected by Jeff McCarthy's office in New York later. April 1 is now regarded as the date when horizontal clinches, undies, cool ankles and hot copy will be camphorized. . . . RKO has an idea it would like to play "Nana" at the Center, after the Music Hall. Loew has an idea, too, and it doesn't jell with the former's. . . .

▼

Ned Depinet, talking to a MOTION PICTURE DAILY correspondent as train crews of The Chief changed at Kansas City: "Without doubt, Merian C. Cooper will be retained in his present status on a renewal of his current contract which expires March 1." Nevertheless, the grapevine stands by its guns and its story that Cooper would prefer a unit. . . . The power of suggestion: This sheet's review of "The Constant Nymph" cabled from London suggested pruning the 96-minute length in which it was seen. Fox has sent the master print to Hollywood with orders to trim 22 minutes. . . . The Roxy sought A. T. and T. cooperation in ballyhooing "I've Got Your Number." The telephone company refused, declaring it does not permit its employes to tap wires, which the picture claims they do. . . .

KANN

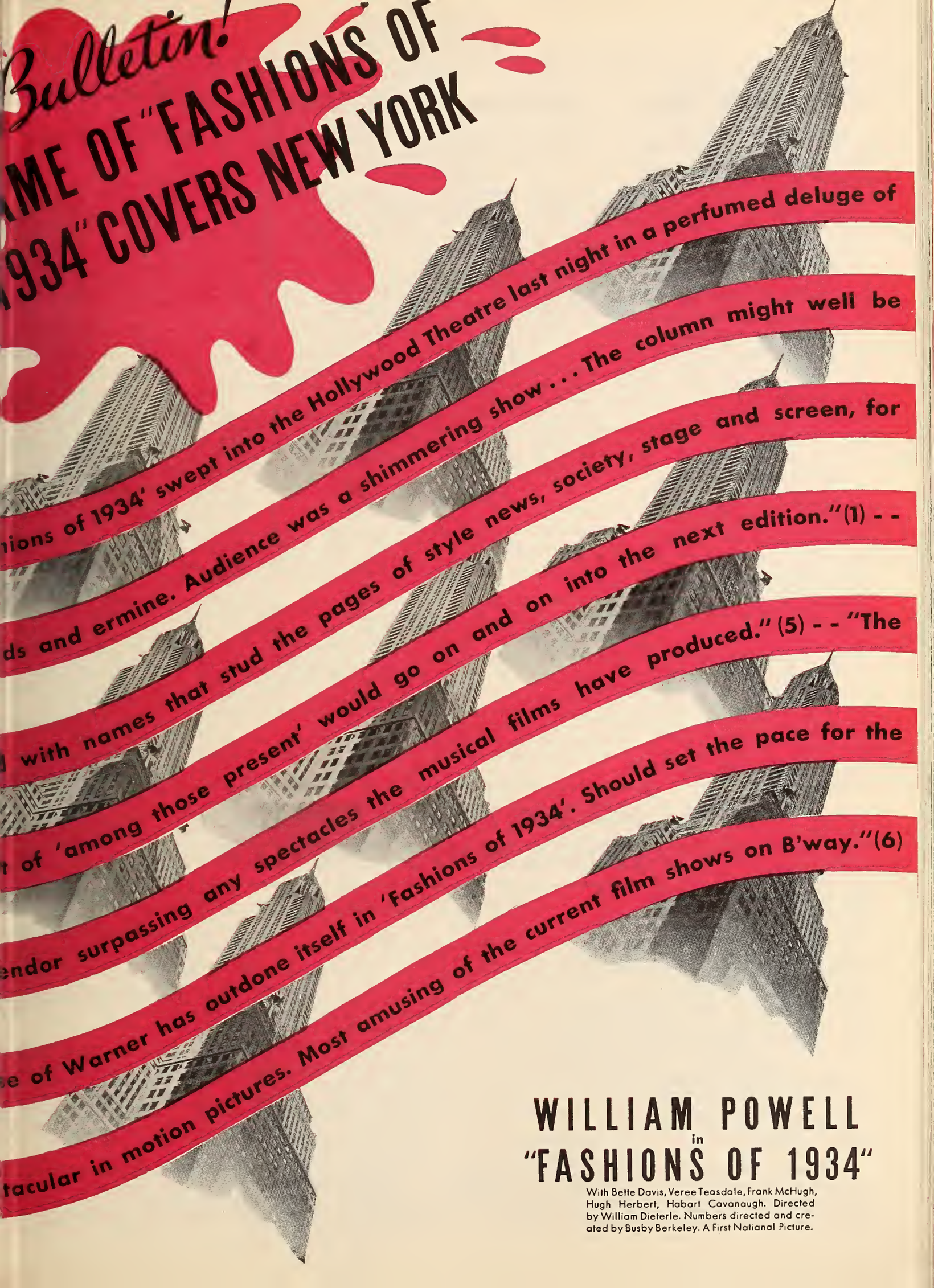
NRA Official Not Yet Served in Suit

(Continued from page 1)

wood and is expected back sometime next week.

As yet no answers have been filed in the U. S. District Court by defendants.

Attorneys for individual members of the Code Authority have not yet been decided upon. Rosenblatt, however, will be defended by the legal division of the NRA.


Bulletin!
ME OF "FASHIONS OF
934" COVERS NEW YORK
ions of 1934' swept into the Hollywood Theatre last night in a perfumed deluge of
ds and ermine. Audience was a shimmering show . . . The column might well be
with names that stud the pages of style news, society, stage and screen, for
t of 'among those present' would go on and on into the next edition."(1) - -
endor surpassing any spectacles the musical films have produced." (5) - - "The
e of Warner has outdone itself in 'fashions of 1934'. Should set the pace for the
tacular in motion pictures. Most amusing of the current film shows on B'way."(6)
WILLIAM POWELL
in
"FASHIONS OF 1934"
With Bette Davis, Veree Teasdale, Frank McHugh, Hugh Herbert, Habart Cavanaugh. Directed by William Dieterle. Numbers directed and created by Busby Berkeley. A First National Picture.

Reports Orchestras Are Up by About 10%

KANSAS CITY, Jan. 28.—Return of orchestras has been noted in the last several months, according to Bernard Prager, general sales manager of Robbins Music Co., here on a short visit in a swing around the country.

Prager estimates that the number of theatres now using orchestras has increased by about 10 per cent over a year ago. He said this increase and the opening of numerous night clubs has boosted the sale of sheet music.

Rowson Is Backing Television Device

LONDON, Jan. 28.—Simon Rowson is one of the backers of a television invention of G. W. Walton under the firm name of Scophony, Ltd.

Rowson expects the apparatus to be able to broadcast pictures from a master film either by telephone wires or radio so that one print can serve a large number of theatres simultaneously.

Suit Unknown Here

Fox, United Artists and Warners' legal department representatives said Saturday they had not been served with papers yet and knew nothing about an anti-trust action naming them as defendants and filed last week in Federal court at Newark by the Palace, Morristown, N. J. The suit alleges a combine which prevented the Palace from obtaining sufficient product to remain open and asks aggregate damages of $250,000.

Mrs. Moffett Honored

CLEVELAND, Jan. 28.—Mrs. Georgia D. Moffett, secretary of the Film Board of Trade, has received first award as a result of the campaign conducted by the National Fire Prevention Week committee. Second award went to Lila Schofield, secretary of the St. Louis board. Letters of commendation have been sent to 21 other film board secretaries.

"Ghoul" Proves Clicker

The Rialto, currently playing "The Ghoul," produced by Gaumont British, is well on its way toward one of its best weeks since Arthur L. Mayer took over operation of the theatre. High for his regime is held by "Forgotten Men" and "Moonlight and Pretzels," both of which did about $22,000.

Kohn Expected in Today

Ralph A. Kohn, head of Paramount theatre operations, is expected in New York today from the coast. Kohn left Hollywood late Friday after last minute conferences with Emanuel Cohen, Paramount production head, Charles Skouras and Mike Marco.

Maury Cohen Moves

HOLLYWOOD, Jan. 28. — Maury Cohen, Invincible producer, is going to move from the Universal studios to the Sennett plant. His next will be "Birds of a Feather."

Columbia Dividend

Regular quarterly dividend of 75 cents on preferred stock has been declared by Columbia, payable March 1, to stockholders of record Feb. 15.

Looking 'Em Over

"Four Frightened People"

(*Paramount*)

When four people, cloaked with various degrees of civilization, find themselves sneaking off a steamer to avoid bubonic plague in the South Seas and make their way through impenetrable jungle to another port, how are they supposed to act under the circumstances? Cecil B. De Mille raises the question and answers it, in theatrical and implausible manner, in "Four Frightened People."

The quartet is made up of Claudette Colbert, ugly duckling school teacher until she blossoms amid the implied furies of the underbrush; Herbert Marshall, British chemist, who falls in love with her; William Gargan, newspaper correspondent, full of bull and some bravery, and Mary Boland, flighty wife of a British official whose inconsequential talk is never stymied no matter what the dangers may be.

The picture, in its first third moves slowly and suggests the director sought to build up menace and suspense with results not completely happy. Most of the footage has to do with the push toward the seacoast and what happens en route.

The cast, competent certainly, does the best it can, but the story treatment never gives it much of a chance to get beyond the routine. Production values, as in all of DeMille's efforts, are rich. The exteriors, or most of them, were shot in Hawaii with results that count for much—pictorially.

KANN

"Lone Cowboy"

(*Paramount*)

"Lone Cowboy" is more than just a "horse opera." It is the tale of an attachment between a man and a boy; that it is set in the cow country is incidental. The story, in the simplicity of its telling and the straightforwardness of its acting, makes for effective and often moving entertainment.

Jackie Cooper is dispatched by his unemployed father (John Wray) to a cowboy friend out west (Addison Richards) to be taken care of just before he takes his life to escape going to prison for stealing food. At first Richards is distant toward the lad, but as time goes on he feels himself so drawn to him that Jackie becomes indispensable to his happiness. The attachment faces collapse when Richards shoots down in self defense the man who had run off with his wife (Lila Lee). Lila reports him to the authorities, but when she observes what the man and the youth mean to each other she retracts and tells the truth. And the man and boy ride off together to no one knows where.

Jackie and Richards act to splendid effect. Other players are Gavin Gordon, J. M. Kerrigan and Barton MacLane. Paul Sloane directed well.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Keep 'Em Rolling"

(*Radio*)

HOLLYWOOD, Jan. 28.—Horse flesh is glorified in "Keep 'Em Rolling" by the love of an army sergeant for his steed, Rodney.

Benny Walsh (Walter Huston), regular artillery soldier, gets Rodney as an untamed colt, breaks him, loses him to an officer, gives up his best girl to get him back, goes to France with him, is decorated for valor because of him, goes AWOL when they want to consign him for auction, wants to shoot him, but can't and finally bursts with pride when the Government cites Rodney and permits them both to spend their last days in the army together.

Huston contributes a nicely balanced portrait. Minna Gombell is a delight as his girl friend. Frank Conroy, Huston's superior officer, is a mixture of sentiment and discipline. Frances Dee carries the romantic side. Atmospheric shots of army activities around Fort Myers are novel.

The production is of program caliber, with particular interest to horse lovers and youngsters.

Pickford to Brooklyn

Mary Pickford has been booked into the Brooklyn Paramount for personal appearances starting Friday.

Muni in Moscow

Moscow, Jan. 28.—Paul Muni has arrived here and plans to make a study of the Soviet theatre.

Purely Personal

CATHERINE DOUCET is doi a flesh and film stunt on Broa way. She opened in "Whatever Pc sessed Her" at the Mansfield Thursd night and also has a lead in "/ Husbands Go," current film at t Music Hall.

DAVID MANNERS is back in Ne York from a trip to England, whe he has been working in a British I ternational picture.

LOU GOLDBERG and ED OHLMSTE of the Columbia exploitation depar ment have sold an untitled unpublish story to the company.

RICARDO CORTEZ and his bride a rived in town Saturday for a delay honeymoon.

ROBERT E. SHERWOOD is on his w to the coast to join the M-G-M wr ing staff.

MARTHA SLEEPER will end her N York vacation in a few days and v leave for the coast.

ARTHUR W. KELLY is mighty g to be on home ground again af seven months abroad.

B. A. ROLFE and his orchestra l gin work today in a Vitaphone o reel short, "A Jolly Good Fellow."

ABE MONTAGUE, general sales ma ager for Columbia, is due back fr Chicago today.

SAUL E. ROGERS took a week e hunting trip up-State.

LYNN FARNOL has forsaken t very German haircut.

4,825 French Houses

PARIS, Jan. 28.—There were 4,8 theatres, 2,684 wired for sound, France and French North Africa of Dec. 31, 1933, according to a s vey conducted by *La Cinematograp Francaise*. This total includes 3 theatres shut down during the ye The survey shows 272 theatres, 2 wired, for Paris, and 952, 572 wir for greater Paris.

Arch Reeve Arrives

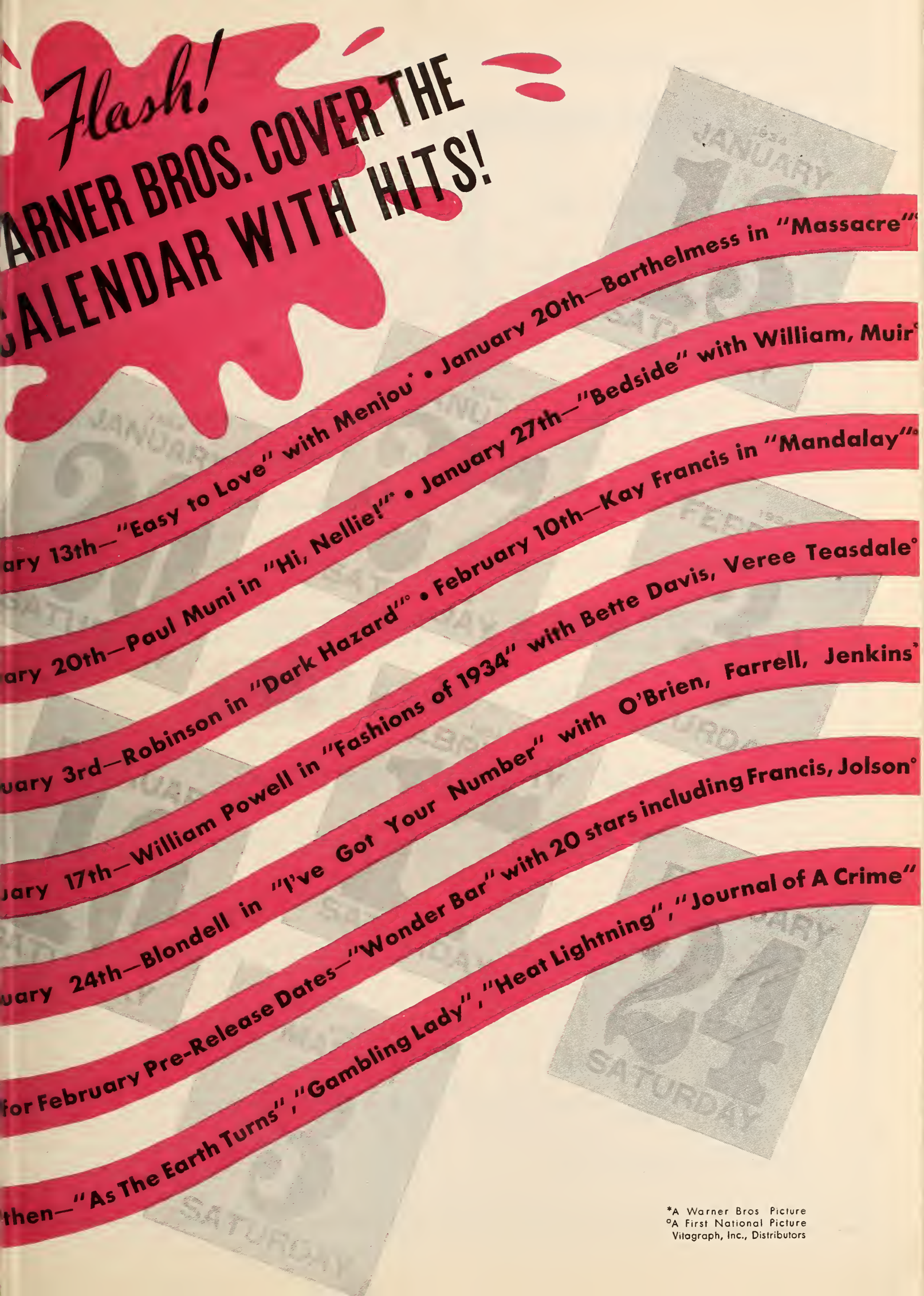
Arch Reeve, who has been shift from the Fox studio publicity post the home office advertising job, rived in town yesterday morni Gabe Yorke, advertising head until l week, has already taken over Reev job at the studio.

Nathan Here Today

John B. Nathan, general mana for Paramount in Central Ameri arrives today aboard the *Penns vania* on his annual visit. While h he will confer with John W. Hic Jr., vice-president of Paramount ternational Corp.

Howard Dietz Returni

Howard Dietz, M-G-M public advertising and exploitation direct is en route from the coast and is pected in New York shortly.



*A Warner Bros Picture
°A First National Picture
Vitagraph, Inc., Distributors

You'll Remember

FEBRUARY 21 1934

◉

but
mark it down on your calendar
now as the date of the
Outstanding Social Event
of the Industry in 1934

INDEPENDENT THEATRE OWNERS ASSOCIATION

Annual Midnite Supper and Ball

Hotel Waldorf-Astoria

Entertainment by
GREATEST STARS
of the stage and screen
SPECTACULAR ACTS
from reigning Broadway Hits

Dance Music by
THREE FAMOUS BANDS

◉

TICKETS—TEN DOLLARS per person

Tickets May Be Obtained

WM. BRANDT, *Chairman*
Entertainment Committee

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

L. 35. NO. 25 NEW YORK, TUESDAY, JANUARY 30, 1934 TEN CENTS

Code Signing Deadline Is Set Back to Feb. 28

Request by Authority Given Approval by General Johnson

Extension to Feb. 28 for return of code assents was granted yesterday to the Code Authority by Administrator Hugh S. Johnson, thereby postponing the deadline for a second time. Originally, Jan. 11 was the date set, but due to delay in getting out the assent forms, the deadline was moved up to Jan. 31. MOTION PICTURE DAILY exclusively intimated yesterday that the Administrator would approve the request.

The latest postponement was given as a result of requests by the Federation of the M. P. Industry and the I.T.O.A., which asked the authority to seek more time. The federation claimed its members wanted additional time to consider the code before assenting. The I.T.O.A.'s demand was made because it had expected to hear from Division Administrator Sol A. Rosenblatt on an interpretation in the

(Continued on page 6)

"Gallant Lady" Big Draw In Half Dozen Key Cities

"Gallant Lady" was an outstanding draw in a number of key points last week. It took the big money in Minneapolis and St. Paul, Philadelphia, Pittsburgh, Cleveland and Chicago.

Business was off in a number of spots, notably Chicago, Detroit, San Francisco, Pittsburgh and Cleveland.

"Gallant Lady" took top honors in Minneapolis and St. Paul by chalking up $8,000 in the Minnesota and $6,500 in the Paramount, respectively. Other first runs in each city failed to show

(Continued on page 6)

Renew on Dressler

Hollywood, Jan. 29.—M-G-M has exercised a one-year option on Marie Dressler's contract.

Expect M-G-M To Keep List Up to 52 Mark

M-G-M's 1934-35 program, scheduled for discussion following the arrival on the coast of Nicholas M. Schenck, is expected to include 52 features. Felix M. Feist is due there in a few days and he will sit in with Louis B. Mayer, Irving Thalberg and other studio executives.

The program is also expected to include about the same number of shorts as this year.

The company is understood set on

(Continued on page 8)

Allied Code Suit Up Today in Court

Suit against members of the Code Authority filed by W. A. Steffes of Minneapolis and Fred Herrington of Pittsburgh, both Allied directors, comes up today in the U. S. District Court before Judge William Bondy. John C. Flinn will appear in person and will not be represented by counsel. Austin C. Keough will act for George J. Schaefer and Charles L. O'Reilly will not attend.

One of the complaints in the suit, seeking an extension for filing assents, has already been granted by the NRA. The second complaint is to restrain the authority from insisting on unqualified assents.

New Theatre Union Contracts Sent Out

New wage scale contracts for ushers, doormen and janitors were submitted yesterday to major and leading independent circuits by Local 118, Building Service Employes union. The distribution of the contracts will continue today and all theatre operators in the Greater New York area are

(Continued on page 8)

Winfield Sheehan to Get Screen Credits

HOLLYWOOD, Jan. 29.—Winfield Sheehan's name will appear on the screen for the first time as producer of "Carolina." This is the start of a new Fox policy of identifying all producers, it is said.

Sheehan's next two with his name as producer will be Will Rogers' "David Harum" and "Fox Follies."

Business Good in England—Laemmle

CHICAGO, Jan. 29.—Business in England is very good. It is off on the Continent, but the income has not depreciated as much as business because

(Continued on page 8)

All Missouri Advertising Must Pay New Sales Tax

KANSAS CITY, Jan. 29.—Despite the interstate features of national advertising, such copy, as well as local advertising, placed in Missouri papers is subject to the recently-enacted sales tax of one-half of 1 per cent, under a ruling by the attorney general. Thus, advertising placed by home office departments of theatre circuit or New York agencies will fall under the levy.

Since the newspapers will pay the tax direct to the state, it is believed

(Continued on page 8)

Code Board Lists To Be Set Feb. 8

With selections of the Chicago, Boston, Detroit and Philadelphia clearance and zoning and grievance boards yet to be set up by the committee of six handling the recommendations, a second session will be called on Feb. 8 for disposing of the four remaining groups. A two-day session of the

(Continued on page 6)

reditors Hit ax Payments On Criterion

feree Delays Decision In Paramount Case

aramount creditors' opposition to ment by the trustees in bankruptcy 175,000 in taxes and penalties on Criterion Theatre property to ent foreclosure by the mortgage er was voiced yesterday at a hear- before Referee Henry K. Davis resulted in delaying action on the tees' proposal until Feb. 5. Under plan the City Bank-Farmers Trust agrees to discontinue foreclosure eedings on the property until July d to bring about an end of the ivership of the Seneca Holding Paramount subsidiary controlling property.

ankers Trust Co., a Paramount itor, led the opposition to the trus-

(Continued on page 6)

eport Blank After . C. Publix Houses

ANSAS CITY, Jan. 29.—A. H. k, Omaha circuit operator, is ing with Publix in New York to over the Publix properties here. rding to reports. These include Newman, first run, and the Royal. ntly reopened subsequent.

ecause of decentralization and ing back of numerous houses in middle west, the local theatres are only Publix holdings in a large . Publix has been seeking for e time to dispose of the long term s, it is said.

addition to the Kansas City the- s, Blank is reported to be nego- ng for Publix holdings elsewhere e middle west.

lit Is Reported For Rowland-Brice

illiam Rowland and Monte Brice eported about to end their eastern producing partnership in favor of idually directed producing activi- Neither could be reached for a ment yesterday at the Rowland- e offices.

ast Independents Again Talk Merger

OLLYWOOD, Jan. 29.—I. E. Chad- tonight held a second session of ndependent producers to discuss a ger of the Independent M. P. Pro-

(Continued on page 8)

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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Shea Quits Music Hall

Joseph C. Shea has resigned from the Music Hall publicity department to take a job with another company and James Hood Macfarland, Rivoli publicity director, will take his place next week. No successor has been named for Macfarland.

O'Reillys Celebrating

QUEBEC, Jan. 29.—Charles L. and Mrs. O'Reilly arrived from New York today to celebrate their silver wedding anniversary. The couple, who were married 25 years ago today, will remain for three days.

MOTION PICTURE ALMANAC

1934-35

NOW IN PREPARATION

WHERE THE WORLD LOOKS FOR MOTION PICTURE facts

PRICE $5.00



The Pay-Off

WHEN Sam Goldwyn unleashed his yearly bombardment on Hollywood, mass production and pediculous pictures the other day, he overlooked one slightly necessary point.

Champion of production in limited numbers—limited deliberately with the idea of making them good, or better—Goldwyn failed to name where and how there could be assembled the talent to turn them out that way. On the one hand, he said:

"This time last year I thought there were enough brains around to turn out 50 real standout attractions. Today, I don't think the combined production brainpower of the industry can make that many.

"There aren't enough stories. Even if there were, the necessary writing power no longer can be mustered...."

On the other, apparently he would have this available ability go to a sharply curtailed output since he offers no method by which the deficit can be removed. Too many indifferent attractions are ground out every year. That's true and the reasons are several. It is a fact, we think, that the majors are tackling a task impossible of achievement along present production lines. Story availables are, always have been, lacking to fit the numerical commitment. Hurry is constantly encountered in meeting release dates.

▼

YET to cut as drastically as Goldwyn proposes would find the market short of enough pictures to keep theatre operation going even if one de luxe house in each major city had supplied it enough unusual box-office stuff to permit holding each attraction for four weeks.

The situation on Broadway reflects itself in smaller measure right across the country. There are houses competitive with each other that require a steady supply of film to keep their doors open. If the Capitol, Paramount, Music Hall and Strand were lucky enough to have delivered to them film of a calibre which rated four weeks on each succeeding film the maximum total set by Goldwyn already would be exceeded by two. What about United Artists' own Rivoli, the Roxy and what would Nick Schenck place in the Astor at advanced prices?

▼

NEVERTHELESS, the chances that product would improve if less of it was made are not to be discounted. It doesn't follow, however, that all of the maximum 50 the producer proposes would fall into the classification of hits and long runs. Many pictures are placed on schedule and, at their outset, designated to be de luxe attractions. Sometimes they pan out and again they do not.

Any exhibitor who knows what he is about will tell you one standout picture a month is something he would like to get, but probably never will. The New York stage, with all its impresarios, never has delivered more than a handful of hits in any given season, yet Goldwyn, theoretically, envisions this kind of a Utopia for motion pictures. It's all very pleasant to contemplate, but hardly practical.

When he talks, as he did, about too many pictures a season, he hits it off closer to this column's way of viewing the situation. For no studio, even M-G-M with its sustained record of real attractions and real personalities, can let loose 30 or 40 clickers a year. It's simply not in the cards.

▼

WHAT we should like to see is a grafting to production elements as constituted today a new set of individuals or a chance given

(Continued on page 8)

Loew's Pfd. Up 5⅜ on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	25¾	25⅝	25⅝	+ ½	200
Consolidated Film Industries	4⅛	4⅛	4⅛	— ⅛	100
Consolidated Film Industries, pfd	14	13⅝	14	.....	2,100
Eastman Kodak	91	88¼	89¾	+2	5,000
Fox Film "A"	16¼	14½	16⅛	+1⅛	12,500
Loew's, Inc.	29⅞	29⅛	29⅜	+ ¼	1,900
Loew's, Inc., pfd	86⅝	86	86⅝	+5⅜	200
Paramount, cts.	3⅜	3⅞	3⅜	+ ¼	8,200
Pathe Exchange	2⅞	2¼	2¾	+ ⅜	30,700
Pathe Exchange "A"	14½	12½	14¼	+1⅝	12,600
RKO	3⅛	2⅞	3	+ ¼	3,000
Warner Bros.	7¼	6¾	7	+ ¼	19,600

Trans Lux Gains ⅜ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	10⅝	10⅛	10¼	— ¼	400
Trans Lux	2⅞	2¾	2⅞	+ ⅜	500

Keith Bonds in 6-Point Rise

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	6¼	6	6¼	+ ¼	14
General Theatre Equipment 6s '40, ctf	6	5½	6	+ ½	5
Keith B. F. 6s '46	66	66	66	+6	3
Loew's 6s '41, ww deb rights	92½	91⅝	92½	+1½	15
Paramount Broadway 5½s '51	36	35¼	36	+1	10
Paramount F. L. 6s '47	36⅞	35⅜	36⅛	+1⅜	16
Paramount Publix 5½s '50	36	36	36	+ ⅜	2
Pathe 7s '37, ww	88	87	88	.....	3
Warner Bros. 6s '39, wd	52¾	51½	52¾	+1½	142

See No Aim by Trade Body to Absorb NR

WASHINGTON, Jan. 29.—Inclusi of the Federal Trade Commission the recovery picture by providi that it shall handle certain investig tions, as stipulated under the Rec ery Act, does not mean that the co mission is about to absorb the NR Reports reaching Washington fr New York tonight to the effect t the commission was about to t over the latter aroused little or interest among its officials.

While there is no doubt the co mission would look favorably up such a move, Secretary of Comme Roper has long had his eye on Administration and its perman home is expected to be in the D partment of Commerce, if, when a as the present setup is reorganiz

Harris to Head New Variety Club Grou

PITTSBURGH, Jan. 29.—John Harris was elected president of a n national organization of Variety Cl at a convention held here over week-end and it was voted to hold other similar meeting in the fall.

Other officers elected were: Fi vice-president, M. R. Clark, Colu bus; second vice-president, John Maloney, Pittsburgh; secretary, W liam Gehring, Cincinnati; treasur James G. Balmer, Pittsburgh; dir tors: J. E. Fontaine, Cleveland; J. Flynn, Detroit; Alvin Wolff, Louis; George Tyson, St. Louis; Harry Goldstein, Pittsburgh.

Cleveland, Buffalo and Albany w given permission to organize club

Joseph Wins RKO Awa

John Joseph, Chicago press age has won first place in the RKO $2 prize contest for the best campaig on "Little Women." Second was Ja Golden, Rochester manager; thi Hardie Meakin, Washington manag fourth, Mickey Gross, Sioux C manager; fifth, Emil Umann, S Francisco press agent. Jack Goldste Boston; E. A. Vinson, New York, a Arden Strang, Columbus, all pr agents, received honorable mention.

Finds Business Upturn

Exhibitors in western and centr New York report business has tak an upturn in the last few weeks, d clared Bert Sanford, eastern divisi sales manager of Erpi, on his retu here yesterday after a week in that te ritory.

Cohen New Powers Aid

Harry Cohen, formerly assistan European general manager for Wa ners, has been named eastern repr sentative by P. A. Powers for th M-G-M unit producing Ub Iwerk "Willie Whopper" and "Flip th Frog" series.

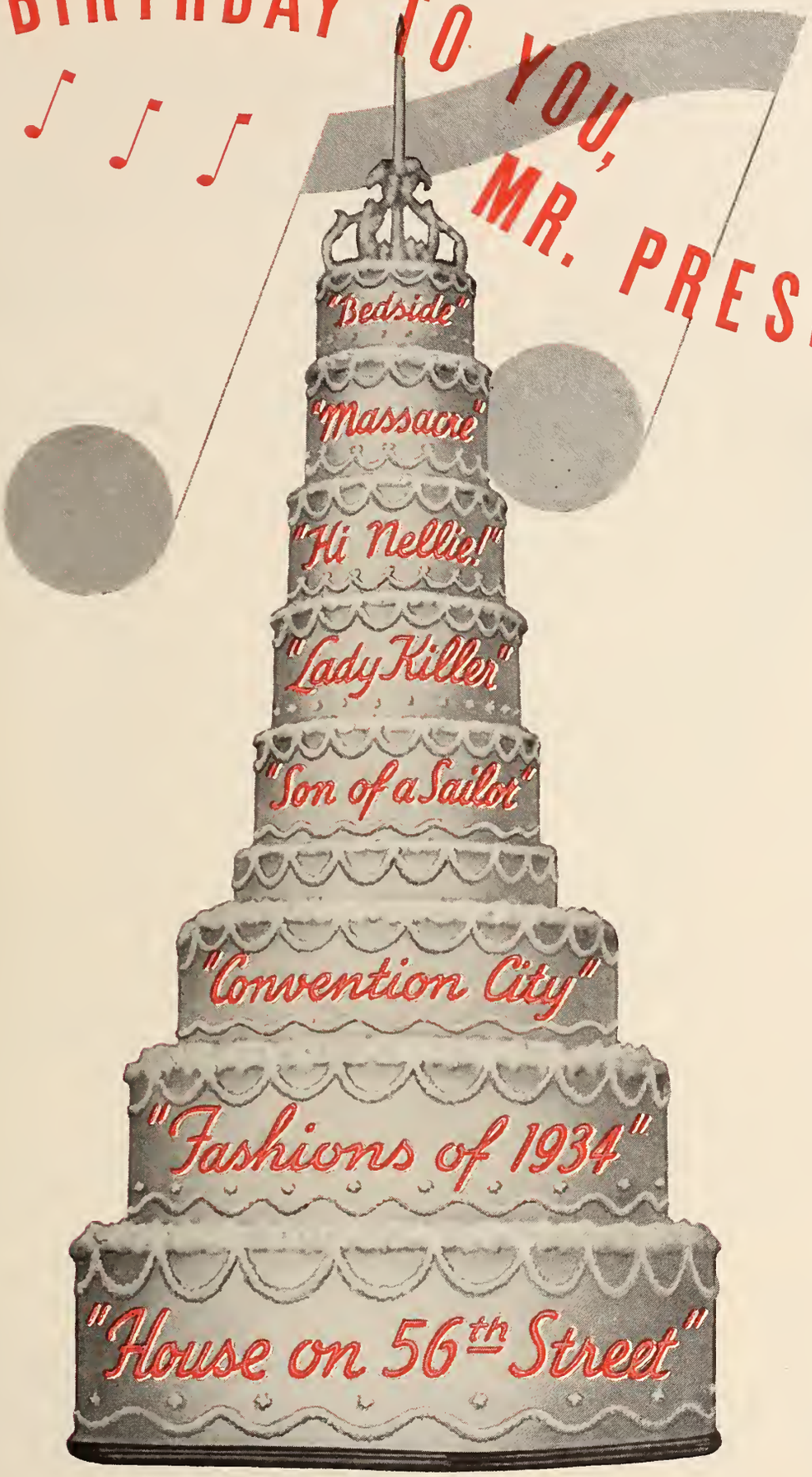
Cohn Extends Coast Tri

HOLLYWOOD, Jan. 29.—Jack Cohn i extending his visit at the Columbi studios and doesn't expect to leave fo New York until the latter part of th week.

Kaufman in Amity Pos

INDIANAPOLIS, Jan. 29.—Abe Kauf man has taken over Amity distribu tion here and has incorporated unde the name of Big Feature Rights Cor

HAPPY BIRTHDAY TO YOU, MR. PRESIDENT!



There could be no more convincing tribute to the remarkable success of your stewardship than the prosperty of the thousands of theatres which are playing these

WARNER BROS. PICTURES

Vitagraph, Inc., Distributors



Universal Knows How To Make Mystery Pictures – and Here's The Latest Proof!

There are no haunted houses, spooks, or other kinds of hobgoblins to blame for the murder in THIS smash drama . . . Your patrons are introduced to the suspects, shown why they are suspects...Their own intelligence is given a chance to solve the murder while it is being investigated on the screen...But what a SURPRISE WALLOP it has . . . Wait and see!

with

WYNNE GIBSON
ONSLOW STEVENS

Skeets Gallagher, Alan Dinehart, William Collier, Sr., J. Farrell MacDonald, Warren Hymer, Edward Van Sloan, John Wray. Produced by Carl Laemmle, Jr. Directed by Edwin L. Marin. Presented by Carl Laemmle.


STEP OUT WITH UNIVERSAL
The CROSBY CASE

Feb. 28 New Deadline for Code Signing

(Continued from page 1)

local labor situation. Rosenblatt has not yet sent in his report on the matter and until he does the unit is undecided whether its members should submit compliances.

Supreme Court Justice William T. Collins is reconsidering Local 306's suit against the I.T.O.A. for $1,000,000 in which the former charges the exhibitor organization with violating the code and that Allied M. P. Operators is a company union. No permanent injunction has been granted in the case. It was to have come up for hearing yesterday, but was taken off the docket.

WASHINGTON, Jan. 29.—Administrator Hugh S. Johnson tonight ordered the deadline for signing the code extended to Feb. 28.

Code Board Lists To Be Set Feb. 8

(Continued from page 1)

committee wound up late Saturday night when unanimous agreement was reached on personnel of the 28 boards selected.

Holding up of the tentative names for the quartet of boards was due to doubts as to whether the men recommended would be able to handle local problems adequately. It was not a question of personalities, but rather a belief that the nominees could not function without assistance from New York. It was decided to put the matter over for a few weeks so that a better check on the suggestions could be made. The Feb. 8 meeting will find tentative boards in all cities completed.

However, when the Code Authority meets to approve the selections, it can change the setups made by the committee. This is not expected.

It is expected secretaries will be announced Feb. 15. Selection of secretaries is being left to the local boards. It is held that the boards know the individuals best suited for the jobs. Secondly, any appointments for the 32 posts would most likely be followed by criticism in the field.

The committee on rules and regulations for the 32 clearance and zoning boards will meet Feb. 8 to complete its report prior to the Code Authority meeting the following day. All rules must be approved by the authority before becoming official.

Code Authority Moves

Temporary headquarters of the Code Authority have been moved from the 12th to 6th floor in the Paramount Bldg. Executive Secretary John C. Flinn and his staff move to the 23rd floor in the RKO Bldg. on Feb. 13.

Herbel Not Candidate

CHICAGO, Jan. 29.—Henry M. Herbel, Universal branch manager, is understood to have asked that his name be withdrawn from the list of nominees for the grievance board.

"Gallant Lady" Big Draw In Half Dozen Key Cities

(Continued from page 1)

anything unusual. "Miss Fane's Baby Is Stolen" had a par $1,500 at the Minneapolis Lyric, "Should Ladies Behave?" was slightly above normal at the State, "The Invisible Man" was average, and "Waltz Time" was a good draw at $3,600 in the 400-seat World. "By Candlelight" and "Sons of the Desert" were good draws in St. Paul.

"All of Me" was the only first run attraction to develop any strength in Buffalo, but at that the $14,800 take was $200 under par. A dual bill, "Lady Killer" and "Olsen's Big Moment," reached $6,500 at the Century, "Fugitive Lovers" took a weak $9,700, helped by a vaudeville bill at the Hippodrome, and "Roman Scandals" fell off to $7,300 in its second week at the Great Lakes.

Again "Gallant Lady"

Philadelphia had three outstanding attractions. "Gallant Lady" nearly doubled the normal take with $13,500 at the Aldine, "Design for Living" was up $2,000 with $14,000 at the Boyd, and "Man's Castle" had a remarkable $22,000, due partly to Earl Carroll's "Vanities" at the Earle. "Hi, Nellie" was weak at $10,500 at the Stanley, and "Massacre" was also somewhat below average at the Stanton. "Sleepers East" and "Beloved" at the Fox and Karlson, respectively, failed to stir up any excitement.

Oklahoma City may object to some of the dialogue in "Dinner at Eight," but it pays good money to go hear it. The $9,000 gross at the Criterion was $4,000 over normal. "All of Me" also had a good week at the Midwest with a $4,200 gross. "Sons of the Desert" was better than par at $2,600 in the Capitol. "Easy to Love" and "Smoky," splitting the week at the Liberty, were below normal at $1,800.

Pittsburgh went into a mild slump for some reason or other, with only three good draws. "Gallant Lady" led the town at $13,000 in the Penn. "East of Fifth Avenue," with a stage show, pulled $9,500 to the Pitt, above average by $3,500. "Massacre" topped normal by $750, with a $5,750. "Hi, Nellie," "Olsen's Big Moment" and "The Big Shakedown" were weak.

Cleveland So-So

Cleveland had a so-so week with no outstanding grosses. "Counsellor at Law," with Milton Berle and other vaudeville acts at the RKO Palace, took $19,500. "Hi, Nellie" had a good $5,200 at Warners' Hippodrome, and "Gallant Lady" reached $10,500 at Loew's State, but business was just fair elsewhere. "Eight Girls in a Boat" and "Broken Dreams" had $4,100 at the Stillman and "Beloved" reached a par $3,000 at the Allen. "Queen Christina" slumped off weakly at the Ohio at $1.50 top.

Detroit went into the throes of a slump, with "I Am Suzanne," helped by "Artists and Models" on the Fox stage, the only big gross in town. The $22,400 total was $7,400 over average. "By Candlelight," "Dinner at Eight," "Dancing Lady," "Miss Fane's Baby Is Stolen" and a dual bill, "Bombay Mail" and "Jimmy and Sally," were all weak. Total first run business was $66,300. Normal is $77,000.

Portland Takes to Duals

Dual bills have a hold on the Portland population. "Myrt and Marge" and "Women in His Life" piled up $7,000 at the Broadway and "After Tonight" and "Horse Play" hit $3,400 at Hamrick's Oriental, but other houses floundered around at par or below. "House on 56th St.," with $4,000, at Hamrick's Music Box, was the par house. "Miss Fane's Baby Is Stolen" and "Smoky," at the Paramount, had a weak $4,000, and "Dinner at Eight" dropped off to $4,600 in its third week at United Artists.

San Francisco had a spotty week, with "Roman Scandals" the big draw in its fifth week at United Artists, where it took $3,500 in the final four days. "Beast of Borneo" enlivened the Strand with a $3,000 gross, and "Going Hollywood" whooped things up a bit with $19,500 at the Warfield. "Maker of Men" and "Police Car No. 17," a dual bill, lifted the Fox to $11,000, but ticket sellers were calm elsewhere. "Meanest Gal in Town" took $13,000 at the Golden Gate with a vaudeville program, the Orpheum was dull with $6,000 on "Bombay Mail" and "His Double Life" and the Paramount was away off with $8,500 on "House on 56th St." and "Should Ladies Behave?"

"Lady" Big in Chicago

"Gallant Lady" stirred up the Chicago United Artists staff with a $19,000 gross, topping average by $2,000, but business was off elsewhere, except at the State Lake, where "The Worst Woman in Paris," with Singin' Sam on the stage, made a profit at $16,000 with a 35-cent top. "Fugitive Lovers" got $35,000, helped by Harry Richman on the Chicago stage.

"Convention City," with a stage show headed by Morton Downey, took big money in Kansas City, running the Mainstreet gross up to $19,500. "Fugitive Lovers" did a strong $10,500 at the Midland. "All of Me" reached par at the Newman with $6,000.

In New York "Gallant Lady" took $31,930 at the Rivoli. "Massacre" garnered $18,659 at the Strand, "Fashions of 1934" took $17,309 at the Hollywood and "Cross Country Cruise" grossed $20,000 at the Roxy.

McAdoo to Entertain

WASHINGTON, Jan. 29.—Senator William G. McAdoo will entertain film players here for the start of the "Moulin Rouge" tour at a luncheon Friday. The affair will be broadcast. A number of members of Congress are expected.

J. S. Grauman Passes

MILWAUKEE, Jan. 29.—J. S. Grauman, 48, operator of four Wisconsin theatres and director of the Wisconsin M. P. T. O., died here yesterday. He had been in the film business for 20 years. A widow, three sons and his mother survive.

Creditors Hit Tax Payments On Criterion

(Continued from page 1)

tees' plan. Milton Kramer, attorney for the bank, described the petition as a proposal to "pay $175,000 for a hope" that the Criterion property would increase in value during the next few months. He declared that the plan offered no explanation of how the $4,000,000 mortgage on the property would be paid when it comes due next year.

A. A. Laporte, attorney for the Paramount trustees, stated that under the plan interest on the mortgage would be reduced from five to four per cent. He said that Paramount is now paying $2,000 a month rent on the Criterion on a six months' lease and is sub-letting it at $1,000 a week. The property, he said, has been appraised by the city at $5,886,000 for 1934 tax assessment purposes, but declared that Paramount could not realize anything like that amount in the present real estate market, indicating that the plan contemplates retaining the property in hopes of an upturn in realty values.

The sum of $160,000 interest on the mortgage was defaulted in Dec., 1932, and only $40,000 has been paid on this since. City Bank-Farmers Trust, the mortgagor, has threatened immediate foreclosure of the property, which also includes Loew's New York, if the $175,000 tax payment is not authorized, Laporte said.

The referee authorized the payment of $2,794 for taxes and penalties on the Lenox Hotel property at 149 West 44th St., also held by Seneca, in order to avoid foreclosure.

Paramount Resumes At Brooklyn House

Paramount on Friday will again assume operation of the Paramount Theatre, Brooklyn which, since Sept. 1, has been operated by Mort Shea. Mary Pickford will head the opening stage show while the film will be "All of Me." Prices, at 55 cents evening top, will remain as is for the time being.

Bill Raynor has been retained as house manager and the theatre will operate under general supervision of Boris Morros. The Brooklyn theatre, which functioned on the same scheme as the Times Square house, thus will be handled out of New York. Reports that Paramount had re-acquisition in mind have been current for weeks.

Remaining Advisors At Para. Await Kohn

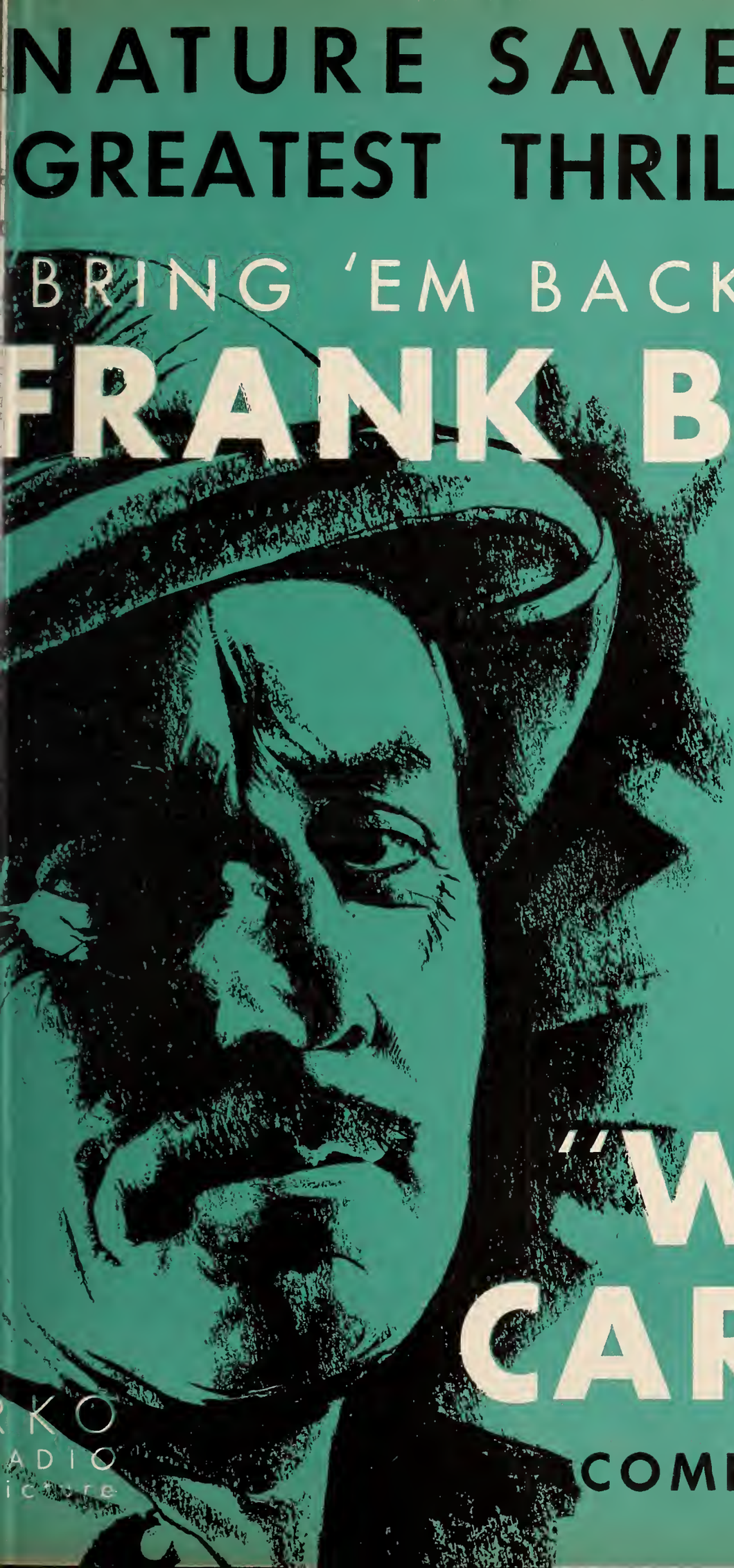
The remaining members of Paramount's new national theatre advisory board will not be named until additional meetings with partners are held following return to New York of Ralph Kohn tomorrow.

So far appointed are N. L. Nathanson, representing Canada; Karl Hoblitzelle, representing the Southwest, and E. V. Richards, Jr., the South.

NATURE SAVES HER GREATEST THRILLS FOR

BRING 'EM BACK ALIVE'

FRANK BUCK



"WILD CARGO"

COMING SOON!

RKO
ADIO
ictures

Technicians Again Active in Academy

HOLLYWOOD, Jan. 29.—Revival of what is described as a new period of activity in the Academy is planned through the technicians' branch, which, in a bulletin to members, promises a "comprehensive period of activity."

Robert M. Haas has been appointed chairman of the art directors' section; I. James Wilkinson of the film editors' section; George Barnes of the photographic section and Wesley C. Miller of the sound section.

Sub-committees for the following have also been named:

Award for Achievement in Art Direction: Max Parker, chairman; Richard Day, Charles D. Hall, Bernard Herzbrun, Fredric Hope and Van Nest Polglase.

Award for Achievement in Cinematography: George Barnes, chairman; William Eglinton, George Folsey, Jr., Fred Gage, Fred Jackman, Virgil Miller and Karl Struss.

Award for Achievement in Sound Recording: Douglas Shearer, chairman; Carl Dreher, E. H. Hansen, Franklin Hansen, Nathan Levinson, John Livadary, Thomas Moulton and Theodore Soderberg.

Board for Judges for the Scientific or Technical Award: Carl Dreher, chairman: George Barnes, Harris Ensign, Farcio Edouart, Robert Haas, Grover Laube, Louis Kolb and I. James Wilkinson.

New Theatre Union Contracts Sent Out

(*Continued from page* 1)

scheduled to have copies delivered to them by tonight.

Circuits understood to have been contacted yesterday include Loew's, Skouras, RKO, Paramount, Randforce, Springer & Cocalis and Lee Ochs. Actual wage scale negotiations with the circuits are not expected to get under way for another week or two. The scales embodied in the contracts, asking $18 per week for ushers and $24 for other employees, will serve as the basis for the union's collective bargaining at that time, it was said.

A meeting of the local is scheduled for late this week at which time Charles C. Levey, secretary-treasurer, will ask the members to grant him the power to call a strike at his discretion.

Coast Independents Again Talk Merger

(*Continued from page* 1)

ducers and the Federation of the M. P. Industry. The first meeting was held last Monday night when Trem Carr and Sam Wolff were appointed as a temporary committee to handle whatever problems would arise.

The meeting tonight was held at the Alexander studio with Chadwick officiating.

Discuss K. C. Prices

KANSAS CITY, Mo., Jan. 29.—Joseph A. Cooper met in conference today with local exhibitors in a discussion of stabilization of admission prices here. Independents decided to join Fox in a plan to induce Loew's to raise the price at the Midland. Cooper will present the proposal to E. A. Schiller in New York in two weeks.

All Missouri Advertising Must Pay New Sales Tax

(*Continued from page* 1)

they will add the amount of the tax to the bill.

The first tax to be paid by theatres on gross business, as well as other services taxed, will be due and payable Feb. 15. It will be on sales and services made during the last 15 days of January. Exhibitors will receive tax returns early in February. Picture houses will absorb the tax, because no way can be found to pass it on.

Returns to the state auditor must show the sales of tickets for the month. Over-payments may be credited to the amount due for the following month or months. If the tax for the month is not paid by the 15th of the following month, it bears interest at the rate of one-half of 1 per cent a month until paid. In addition, a penalty of 10 per cent of the tax is added for delinquency. If the tax is not paid by the end of the month after becoming delinquent, it is the duty of the attorney general to file suit to collect.

Wilful making of a false return is classed as a misdemeanor and carries a penalty of a fine or jail sentence or both.

Reduction of ad space by Fox Midwest and independent suburbans in the *Kansas City Star*, which they use exclusively, is saving those theatres an estimated $4,000 a month. At the same time, a battle for dominance on the amusement page has been largely abandoned.

Heretofore, exhibitors have spent lavishly to obtain position at top of the theatre listings. Also, for a long time, space of the smaller neighborhood houses on Sunday has equalled that of the large downtown first runs. Now, this is not so much in evidence. It is understood the exhibitors have an agreement to run smaller space.

Recent efforts of the downtown first runs to obtain rate reductions from the *Star* have proved useless.

Columbia's Chicago Sales Session Ends

CHICAGO, Jan. 29.—Columbia field and home office sales executives have closed their two-day conference here after discussing the forthcoming product.

Among those in attendance were: Abe Montague, general sales manager; Jerry Saffron, west coast division manager; Max Roth, mid-west division manager, and Lou Weinberg, Lou Astor, J. W. McFarland and Joe McConville from New York. Also the following branch managers: Harry Taylor, Kansas City; Clarence Hill, St. Louis; Joe Levy, Des Moines; Frank Chapman, Omaha; Ben Marcus, Minneapolis; H. C. Chapman, Detroit; C. H. Shalit, Detroit; H. Bissell, Cleveland; A. Moritz, Cincinnati, and Marty Sullivan, Indianapolis.

Montague and Walter Immerman, of B. & K., stated that the relations between the two companies were the friendliest ever.

Studio Labor Group Set

HOLLYWOOD, Jan. 29.—Al Berris was named by Division Administrator Sol A. Rosenblatt today chairman of a studio labor committee to handle all labor disputes and complaints involving the code. Others on the committee are Ed Smith, Dick Lestrange and Pat Casey. The body will have power to render decisions for all labor groups except extras and creative branches, while unions coming under collective bargaining must submit their grievances to the regional labor board. Rosenblatt discussed with Ben Berinstein and a committee representing the Southern California Independent Theatre Owners plans for establishing local grievance and complaint boards, to be set up around Feb. 15.

Harlow, M-G-M Make Up

HOLLYWOOD, Jan. 29.—Jean Harlow and M-G-M have settled their differences amicably.

Child Sues Para. on "Sunday Afternoon"

Richard Washburn Child yesterday filed suit in the Federal Court alleging "One Sunday Afternoon," stage play subsequently filmed by Paramount had been "stolen" from a short story of his called "The Avenger," which the plaintiff says was first published in the *Saturday Evening Post* in 1919 and later incorporated in a volume of short stories under the title "The Velvet Black." Child seeks an injunction and an accounting to the tune of $1,000,000.

The defendants include Paramount Prod., Inc., Paramount Dist. Corp. and Paramount Pictures Dist. Co., Inc. Louis Phillips of the Paramount legal department denied the allegations and declares one story does not infringe on the other.

Expect Federal Aid For Educational Film

WASHINGTON, Jan. 29.—Loans by the government to educational institutions to finance the purchase of film equipment are expected shortly to be proposed to administration officials by the Bureau of Education of the Department of the Interior. The proposal is prompted by the assertion of producers of educational films that it is useless turning out product because few institutions are equipped to use it and the statements of projector manufacturers that they cannot sell equipment because of a lack of pictures.

Seidelman Winds Up Meeting in London

LONDON, Jan. 29.—Winding up a three-day sales convention of the English sales force, Joseph H. Seidelman, general sales manager for Columbia, today told his men that business in England is on the upgrade and prospects for the new year are bright.

Seidelman expects to visit all exchanges on the Continent rather than call a central meeting. He is due to return to New York around March 15.

The Pay-Off

(*Continued from page* 2)

to some who are hiding their lights under political bushels. There you have a sort of fanciful idea about which probably nothing much can or will happen. More practical would be a gentle curtailment in schedules on the theory better pictures will induce longer theatre runs and so bring about a market need for less product. Some day, there will be a movement in this direction, we think. When it comes, and the sooner the better, much of the junk now finding an outlet on celluloid will pass out of the picture. That would be a good thing, a constructive step, for the industry and the public. KANN

M-G-M Expected to Keep to 52 Mark

(*Continued from page* 1)

two series of shorts, both to be made by James J. FitzPatrick. One will be a series of 12 "Musical Romances" in one reel each. The other will be a new group of "Traveltalks," 12 strong and each a single reeler. This will mark the third appearance of this latter series on the M-G-M roster.

It is a foregone conclusion that Hal Roach will again furnish the backbone of the short subject program.

Business Good in England—Laemmle

(*Continued from page* 1)

of the favorable exchange rate, according to Carl Laemmle and Carl Laemmle, Jr., who passed through here today en route to New York.

Carl, Jr., said he was undecided on whether to continue the trip to Europe. He will stop in New York for a time to see plays. Others in the party were Joe Weil, aide to Carl Laemmle: Harry Zehner, Jack Rose, and Robert Harris, eastern story editor.

See New Foreign Tax As Slight Film Aid

Indications are that films will be benefited only incidentally, if at all, by current import and export policies of the Administration, foreign representatives here believe.

Recent moves by Washington to obtain liberalization of foreign restrictions on American imports, which included authorization to the President to increase by as much as 50 per cent the taxes on foreign corporations and individuals doing business in this country, whose home countries impose restrictive taxes on American enterprises, are believed to be inspired by a desire to aid, first, American agricultural exports. Films can only benefit, it is believed, in the event the Administration's moves result in a general modification abroad of quota laws.

Playhouse Seeking More Jersey Houses

Having taken over the management of the Garden, at Princeton, N. J., the Playhouse Operating Co. is after a number of additional New Jersey theatres. They have already made an offer to the operators of the Court, Somerville, and also to a few Newark exhibitors.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

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New Code Deadline Stirs Speculation About Boards

Suit to Serve As Lesson for Code Bodies

To Teach Them Caution, NRA Men Believe

WASHINGTON, Jan. 30.—Recovery dministration officials see in the New ork suit against the Code Authority n opportunity to impress upon all ode authorities the necessity of mov- g carefully in the enforcement of odes.

This attitude was seen today in the tatement by General Hugh S. John- on that in all suits against code au- horities the Administration will study he circumstances carefully and will efend such officers only if convinced

(Continued on page 4)

Coast Independents Bolstering Ranks

HOLLYWOOD, Jan. 30.—Forty-three ndependent producers met last night n an attempt to establish a solid front vith the Federation of the M. P. In- ustry in the east.

Sam Woolf, legal advisor to the In- ependent M. P. Producers' Ass'n., old his listeners it would be foolish or them to set up a new organization fter the I.M.P.P.A. had spent con- iderable time and money in an effort

(Continued on page 5)

NRA to Hear Sirovich Attack Block Booking

WASHINGTON, Jan. 30.—Representa- ive Sirovich of New York expects ext week to sit in at a conference on lock booking with Division Adminis- rator Sol A. Rosenblatt and other Recovery Administration officials, it as revealed today by the congress- an.

The idea of the conference, Si- ovich said, is to see whether any

(Continued on page 4)

Rogers Predicts New Distribution Setup

Formation of a new national dis- ributing organization is in prospect, ccording to Budd Rogers, sales man- ger for Liberty Pictures, of which . H. Hoffman is president.

Rogers refuses to discuss the de- ails, but says distribution deals al- eady made for eight Liberty releases, wo of which have been completed, ave been handled with this in mind.

"U" Planning At Least 14 Films Abroad

Universal will produce a minimum of 14 features abroad next season, with prospects that the number may be increased following conferences here between Carl Laemmle, Carl Laemmle, Jr., home office executives and Universal's European representatives who arrived last night on the *Aquitania*. The Laemmles arrived from the coast earlier in the day.

Present plans call for a minimum of eight pictures to be made in London and six in Paris. Max Friedland, European manager who headquarters in Paris, will be in charge of production. He may be assisted by a London production manager, choice of

(Continued on page 5)

Monogram Sets Deal On Australia Sales

Ritchey Export Corp., Monogram's affiliate in the foreign distribution field, has made an agreement with Al Aronson, former European manager for M-G-M, and Max Ehrenreich, former manager for United Artists and Columbia in South America, to handle Monogram product in Australia and New Zealand.

They will set up their own organization in Australia and handle Monogram exclusively. They leave for the coast today and will sail from San Francisco Feb. 7 on the *Monterey*.

Bottoms Up

At a showing of the "Devil Tiger" trailer at the Rialto, one of the balcony boys, when he saw the charming heroine swimming in the near-altogether, yelled:

"Whoa, hold that tiger!"

MPTOA Moves To Curb Some Radio Stunts

The M. P. T. O. A. is taking up the cudgels against radio competition and will lead off within the next few weeks with direct appeals to 35 broadcasting stations to end certain practices held by exhibitors to constitute unfair competition with theatres. If relief is not obtained from the 35 stations, M. P. T. O. A. will take its complaint to the Code Authority with

(Continued on page 4)

Rosenblatt Denies Salary Fixing Plan

HOLLYWOOD, Jan. 30.—Division Administrator Sol A. Rosenblatt characterizes as "ridiculous" reports in a New York paper that he is out here to fix maximum salaries for players, directors and executives.

His observations on the salary problem will be submitted in a report to Washington, he says.

NRA Lawyers Study Ruling On 10% Cancellation Clause

WASHINGTON, Jan. 30. — Definite ruling on the 10 per cent cancellation clause of the code is being studied by the legal division of the Recovery Administration, it was learned today. The ruling, to be issued probably early next week, is expected merely to confirm the ruling of Division Administrator Sol A. Rosenblatt that the elimination privilege attaches to contracts entered into prior to the effective date of the code.

It is understood the desire for a ruling was expressed by the Code Authority, which found it had no formal notification in its files with respect to this subject. So far as could be learned, Administration officials have no protests before them against application of the clause.

Wonder How Choices Can Be Made Until All Have Signed

In view of the extension to Feb. 28 for return of code assents, speculation existed yesterday in certain exhibition quarters as to whether clearance and zoning and grievance boards will be set up before March at the earliest.

Reason for the delay is that although selections for 28 of the 32 boards have been decided upon, the authority has granted all parties until the end of February to send in compliances. With governmental approval already in hand, the belief is that names already selected will not be taken off the lists if assents of those recommended are not in by Feb. 9, the date set for final approval of the committee's selections by the authority. The four remaining territories not yet set will be completed by Feb. 8, but whether official announcements of appointments will be made at conclusion of the next authority session is a matter of speculation.

At the Code Authority the impression prevails that the boards will be

(Continued on page 4)

Allied's Code Suit Delayed to Feb. 20

Because Division Administrator Sol A. Rosenblatt has not been served in the suit of the Congress Theatre, Newark, against the Code Authority, attorneys for both sides yesterday agreed to postpone the case until Feb. 20. Judge William Bondy in the U. S. District Court approved the delay.

Rosenblatt, who returns from Hollywood on Feb. 7 will study the case and will be defended by the Department of Justice. The authority feels the Code

(Continued on page 4)

Authority Refuses Boards for Jersey

A petition from Allied of New Jersey for the setting up of clearance and zoning and grievance boards in southern Jersey has been denied by the Code Authority, the board ruling that the code provides all zones shall be restricted to the present setup.

Allied also asked for a hearing before a decision was reached and this likewise was denied on the ground

(Continued on page 4)

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Zanft a Bankrupt

John Zanft, former vice-president of Fox, has filed a petition in bankruptcy in the U. S. Court for the Southern District of New York. He lists liabilities of $244,216 and assets of $168,729.

J. W. Hicks Sails Today

John W. Hicks, vice-president of Paramount International Corp., sails for Europe today on the *Manhattan* for a semi-annual survey of business in England and on the continent. He will be gone about seven weeks.

Sally Eilers Ill

HOLLYWOOD, Jan. 30.—Sally Eilers is temporarily out of the cast of "Three on a Honeymoon" at Fox due to illness.

Morris Recuperating

Sam E. Morris, Warner executive, is recuperating from an operation at the Sydenham Hospital.

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Insiders' Outlook

HOLLYWOOD local sheets are razzing Sol Rosenblatt for going social, particularly after the division administrator's advance word that parties were out and only business in. Rosenblatt's defenders point out it is true he has been socializing, but gathering data as he played. . . . Theatre business, eyed through national optics, took a sickening nosedive Monday, circuit men reported ruefully yesterday. It was the weather. . . . Warners are negotiating with the Soviet for permission to film "British Agent" in Russia. Irving Asher, the company's production bigwig in London, is handling the parleys. This would be the first straight piece of American entertainment to be made there since the Bolsheviks got into power. . . .

▼

New style cruise, invented by Al Lichtman yesterday in response to Hal Horne's feeler about possibilities of a real one: "You go home early tonight and leave the rest to me. I'll have a guy with a hose sprinkle your windows. That's so you'll think you're at sea. You better lose a couple of shirts. All travelers do that. I'll get a couple of fellows to rock your bed. That's so you'll imagine you're at sea, too. And another fellow to tear the days off the calendar to make the time slip by. All of this with no worry about packing. What do you want with a cuise?" finished Lichtman. "My goodness," sighed Horne, "I feel better already." . . .

▼

The inside on the new Harlow-Metro contract: Jean gets a $500 hike to a weekly total of $2,000. This arrangement holds until October when the contract calls for another $500 and repeats, on the same basis, each year thereafter for three years. The blonde bombshell thus returns to the Culver City lot after a strike of 10 weeks. . . . Nice front Nat Karson designed for the engagement of "The Ghoul" at the Rialto. . . .

▼

A swell break for United Artists was that cigarette-dangling photo of La Sten which ran as unpaid, straight news copy in Saturday's *World - Telegram* while the same picture was carried in other New York dailies at theatrical advertising rates. . . . The Arthur Seigel who bought into the Ramsey, at Ramsey, N. J., with a former Skouras executive and denied the story, happens to be working for Warners in Newark and also is A. W. Warner's stepson. . . .

▼

Smart press work, that story planted anew by someone on behalf of John Hay Whitney and Pioneer Pictures which proposes making pictures in Technicolor. The company and the yarn are some months old anew, but that didn't prevent the A.P. correspondent from forgetting the original and wiring about 700 words out of Hollywood yesterday. The afternoon dailies here went for it, too. . . . Jack Cohn's current coast visit is supposed to have a lot to do with Columbia releases and why there has been a lapse. . . .

KANN

Loew Trading Heavy on Big Board

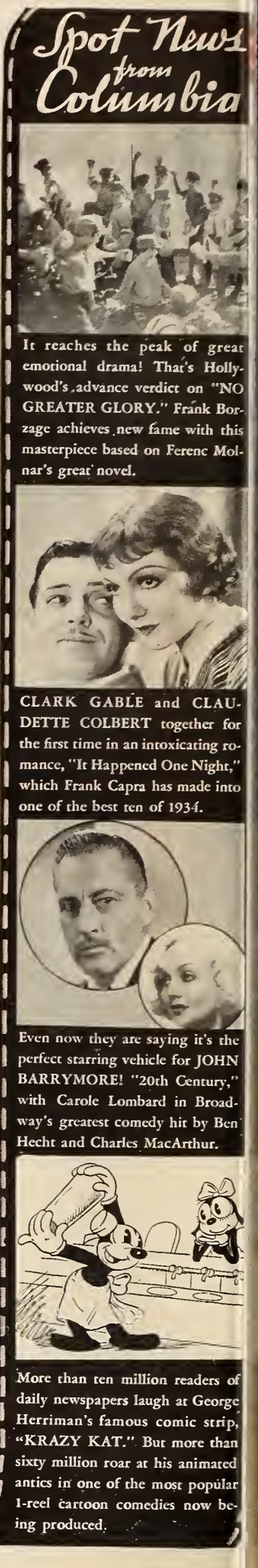
	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	26¼	25⅞	26	+ ⅜	900
Consolidated Film Industries	4½	4⅜	4½	+ ⅜	200
Consolidated Film Industries, pfd	14¼	13¾	14	.....	1,300
Eastman Kodak	90¾	89	89½	—1¼	2,700
Fox Film "A"	16⅞	16	16¼	+ ⅛	15,100
Loew's, Inc.	29⅞	29⅛	29⅛	— ¼	26,100
Loew's, Inc., pfd	85¼	85¼	85¼	+ ¼	200
M-G-M, pfd.	22	22	22	+ ½	100
Orpheum, pfd.	3⅜	2⅞	3⅛	— ¼	17,700
Paramount, cts.	2⅞	2½	2½	— ¼	10,500
Pathe Exchange	14⅜	13⅜	13⅜	— ⅞	3,400
Pathe Exchange "A"	3⅛	3	3	.....	4,400
RKO	7¼	7	7	.....	9,000

Technicolor Lone Curb ssue

	High	Low	Close	Net Change	Sales
Technicolor	10⅜	10¼	10¼	.....	500

General Theatre Bonds Up One

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	6¾	6⅜	6¾	+ ½	14
General Theatre Equipment 6s '40, ctf	7	6	7	+1	9
Loew's 6s '41, ww deb rights	92	92	92	— ¼	2
Paramount Broadway 5½s '51	36¼	36⅛	36¼	—1⅞	2
Paramount F. L. 6s '47	37¼	35⅛	35⅛	—1	21
Paramount Publix 5½s '50	36¾	36¾	36¾	+ ¾	4
Pathe 7s '37, ww	88	87⅞	88	.....	2
RKO 6s '41, pp	25	25	25	.....	1
Warner Bros. 6s '39, wd	53¼	52½	53¾	.....	25



BARNUM & BAILEYHOO THIS BELL-RINGING SMASH!

Give it all you've got . . . it will get you all you can take!

Your showman's blood will tingle when you see this box-office clean-up . . . THE MOST THRILLING ANIMAL PICTURE EVER MADE . . . a-glitter with every possible selling angle. Book it and boost it for an S. R. O. sensation!



DEVIL TIGER

THEY'LL NEVER FORGET THESE THRILLS:

SEE The lion . . . king of beasts . . . battle the tiger . . . monarch of the jungle . . . roaring, snarling, ferocious . . . vicious teeth rending living flesh in an unforgettable struggle for supremacy.

SEE Hundreds of mammoth Indian elephants in fear-crazed stampede . . . crashing giant trees . . . trampling human life . . . crushing everything before them.

SEE The crocodile and the tiger in a frenzied fight for life . . . lashing, whirling, churning the jungle waters into a deadly scarlet foam.

SEE The hero-explorer trapped in the relentless, life-smothering coils of a 40-foot python . . . and his miraculous escape.

SEE The "Devil Tiger" himself . . . eyes like balls of fire . . . fangs as sharp as ice-picks . . . powerful, crafty, terror-inspiring . . . his black heart haunted by the Evil One himself . . . mad with the thirst for human blood.

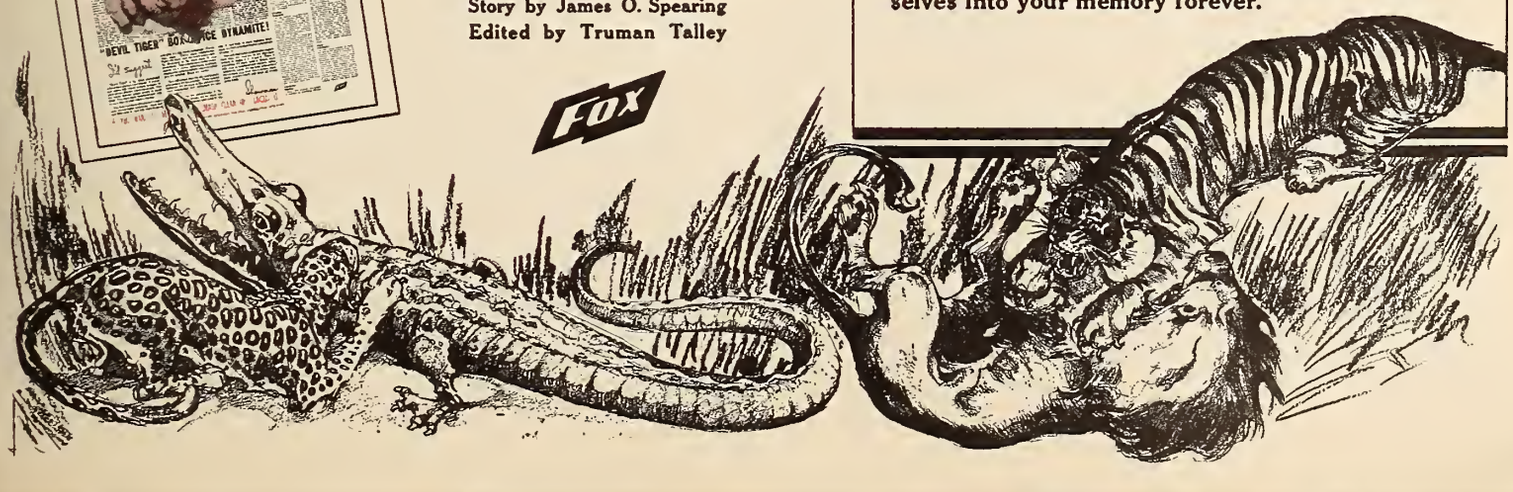
SEE These and a *score of other* sensational thrills . . . each more amazing than the last . . . *actual* sounds and scenes that will burn themselves into your memory forever.



Directed by
CLYDE E. ELLIOTT
director of
"BRING 'EM BACK ALIVE"

Story by James O. Spearing
Edited by Truman Talley

FOX



Deadline Stirs Speculation About Boards

(Continued from page 1)

announced after the Feb. 9 session inasmuch as most exhibitors want the 64 boards established as soon as possible. The longer the boards wait, the more delay there will be on grievances and formulation of new zoning schedules, it is pointed out. Further changes in the tentative set-up may be made before final approval by the authority.

More than 6,000 assents have been card-indexed already. Yesterday alone brought 300 from the field where the extension to Feb. 28 had not reached exhibitors.

Allied's Code Suit Delayed to Feb. 20

(Continued from page 1)

is a government agency and regulations provided in it were drawn by the legal department of the NRA. Therefore, the government should defend the suit, authority members declare.

Although the general impression prevailed in authority quarters that papers filed Saturday was a second Allied suit, the fact is that Fred Herrington of Pittsburgh and W. A. Steffes of Minneapolis presented affidavits supporting the Congress action.

Authority Refuses Boards for Jersey

(Continued from page 1)

that the code provisions do not permit the establishment of an extra zoning situation.

The Allied petition was signed by 52 exhibitors from southern Jersey. As a result of the authority ruling, Allied says it plans to take other action.

Discussion of the code was one of the principal topics up yesterday at the unit's regular meeting. It was decided to hold a beefsteak dinner tomorrow night at the Newark Athletic Club. Allied's lawsuit also was discussed.

Rosenblatt Answers Social Life Critics

HOLLYWOOD, Jan. 30.—Division Administrator Sol A. Rosenblatt has taken notice of press criticism of his social activities by stating that each event has been more work than pleasure, and each engagement has netted him direct information.

He spent Saturday at Agua Caliente, with dinner at Marion Davies' home that night and at Louis B. Mayer's home Sunday night. He had a conference with I. E. Chadwick last night.

Over 200 Grievance Complaints on File

More than 200 grievances are now on file at Code Authority headquarters and will be forwarded to secretaries of the 32 boards as soon as they are set up. All complaints are acknowledged by Executive Secretary John C. Flinn.

Exit Explained

Washington, Jan. 30.—Will Rogers, accompanied by his daughter, today visited Administrator Hugh S. Johnson. As he left Johnson's office, Rogers walked into a group of newspapermen waiting for a conference with the General. "I had to leave Hollywood because Rosenblatt got out there," he confided as he fought his way to the door.

NRA to Hear Sirovich Attack Block Booking

(Continued from page 1)

changes should be attempted in the copyright law to cover the subject of block booking. The invitation, he declared, came from Administrator Hugh S. Johnson, apparently as an outgrowth of the A. Lawrence Lowell matter, when the latter refused to serve on the Code Authority because block booking had not been outlawed.

The congressman also revealed that he has been in correspondence with General Johnson about the protests of independents against the code and has himself protested against Rosenblatt, who was strongly defended by Johnson as "fair, able and courageous."

Sirovich within the next week or two also will go into conference with his colleagues on the question of investigating the picture industry, for which he has pending a resolution. There is a strong demand in some quarters for an investigation, he said, and Representative Sabath of Illinois has been insistent that something be done about "corrupt practices" in the industry.

Mary Pickford Also Hits Block Booking

BOSTON, Jan. 30.—In a message sent by Mary Pickford to Mrs. Frederick P. Bagley, who declined appointment to the Code Authority because of block booking practices, the star expressed herself as thoroughly in sympathy with the movement against block booking.

"I am the grandmother of block booking. I have been working hard against it ever since 1915 and shall keep on working against it," Mrs. Bagley quotes the star as stating.

Mrs. Bagley made the message public at a luncheon to members of the Massachusetts Civil League, held at her home.

N. O. Independents Protest to Johnson

NEW ORLEANS, Jan. 30—Elimination of giveaways has hit business in subsequent houses to such an extent that a group of independents have sent complaints to Administrator Hugh S. Johnson, charging that United Theatres is getting first choice pictures and 60 days' clearance without being compelled to charge higher scales than the subsequent runs.

Independents say they charge the same scales as United, but are compelled to wait so long for pictures that their value is gone. The latter is an outgrowth of a two-day meeting of Allied.

Suit to Serve As Lesson for Code Bodies

(Continued from page 1)

the actions complained of are in strict conformity with the provisions of the code. Any code authority which exceeds its powers or abuses its position and gets into legal difficulties will be left to fight its way out as best it can, it was indicated.

In the case of the film suit, however, it is expected the government will defend the code and Division Administrator Sol A. Rosenblatt in such a way as also to defend the other members of the Code Authority. No formal decision has been reached with respect to the matter, which General Johnson said had not yet come to his attention, but there is a general opinion that the authority in this particular instance will be protected, particularly in view of Johnson's well known antipathy to half-way assents to codes.

Vaude Code Demands Up for Talks Today

Changes in the film code sought by vaudeville interests will be discussed today at a public hearing before the committee appointed by R. H. Cochrane recently. The session starts at 2 P.M. at the Astor.

The special committee will study whatever changes are suggested and submit its findings to the Code Authority at the Feb. 9 session.

Major Leslie J. Thompson and Joseph Bernhard will represent J. L. Lubin, Arthur Willy, William Havard, Harry Kalcheim, Stephen Trilling, Sidney Piermont and Charles Freeman. Jack Partington, Sam Dembow and George Skouras will represent Chester Hale, Frank Cambria, Russell Markert, Florence Rogge, Leon Leonidoff, Boris Morros, Jesse Kay and Arthur Knorr. Marty Forkins will act for Irving Yates and C. B. Maddock. Louis K. Sidney will serve for Dorothy Bryant, Joe Laurie, Jr., Arthur Fisher, Fally Marcus, William Lastvogel, Arthur Lyons, Morris Rose and Norman Manwaring.

Rosenblatt Avoids Coast IATSE Fight

HOLLYWOOD, Jan. 30.—Division Administrator Sol A. Rosenblatt does not intend ti take up the I.A.T.S.E. jurisdictional squabble while here, he said yesterday. It would do no good, he said, as the problem is one for the Regional Labor Board to decide.

Rosenblatt explained today that the extra committee which he named last week will have the same power as the studio labor board.

Among the administrator's callers yesterday was Don Gledhill, Academy secretary, who furnished data concerning the Academy's activities. Rosenblatt visited the Central Casting Bureau today and will address the Wampas Thursday, after which he will attend the President's birthday party as Marie Dressler's guest.

MPTOA Moves To Curb Some Radio Stunts

(Continued from page 1)

a request that the Code Authority c the radio industry be asked to inte vene.

The M. P. T. O. A. action is bein taken as a result of nationwide repor solicited from its membership on radi broadcasting practices believed by e hibitors to constitute unfair compet tion with theatres. The reports, no being compiled here, reveal "ruinou competitive practices by broadcastin stations in some cities, according t Ed Kuykendall, M. P. T. O. A. pres dent.

Many exhibitors reported that spo sors of radio programs hand out tho sands of passes to broadcasts to pe sons who would otherwise attend th atres. Numerous instances of theatr and halls being rented for broadcas and audiences admitted without char were also reported, Kuykendall sai many of which constituted unfair con petition "in the sense of any NR code."

The legitimate theatre Code Autho ity recently protested against the pra tice of NBC and CBS in admitting a diences without charge to dramat broadcasts staged in New York th atres leased by the broadcasting sy tems for the purpose. It propose that the film Code Authority join wit it in protesting the practice to t radio Code Authority. Action on t proposal is expected to be taken b the Code Authority at its next mee ing.

Classifying Extras Is Started on Coas

HOLLYWOOD, Jan. 30.—The task reclassifying extras began today wi the selection of Larry Steers, an e tra; Phil Friedman, Fox caster, a Mabel Kinney, industrial welfare con missioner, as a committee to hand the job.

Headquarters have been establishe for receiving extras' complaints in t former library of the Academy. Con plaints now in the hands of the R gional Labor Board are to be tran ferred to the committee by order Division Administrator Sol A. Rose blatt.

Sub-committees are to be named f various tasks.

To end alleged favoritism in extr ranks the extras' code committee t day asked all studios and the Centr Casting Agency to submit daily lis of all such players working. This the first action to be taken by t body in its inquiry into allegatio studios were hiring friends and rel tives and so keeping bona fide extr out of work.

Bill Pine Due Shortly

Bill Pine arrives from the coa within the next week or two on a sp cial call from Robert Gillham. Pi will spend four months a year in t east and the balance in the west. H eastern visits will last from three four weeks at a time.

U" Planning At Least 14 Films Abroad

(Continued from page 1)

om is dependent upon the current nferences. Friedland's arrival last ght, accompanied by Fritz Keller, niversal's Paris manager, relieves emmle, Jr., of the necessity of mak- the European trip he had planned ginally. In addition to the confer- es here on European production ns he will view current Broadway ys and confer on plans for Uni- rsal's next year's schedule.

Laemmle, Jr., replied to queries con- ning published reports that he uld be married to a Virginia Yahl- of New York, now said to be cationing in Miami, with the ques- n, "Who is she?"

Story conferences on next season's ogram will include in addition to Laemmles, R. H. Cochrane, P. D. chrane, J. R. Grainger, Charles B. ine and Robert Harris, eastern ry editor. Harris is due in from coast today.

In the Laemmle party arriving yes- day were Joe Weil, Laemmle's as- tant; Jack Ross, secretary; Harry hner, Laemmle, Jr.'s assistant, and aurice Fleckles. The Laemmles ex- ct to remain here about 10 days or o weeks, returning directly to the ast.

oast Independents Bolstering Ranks

(Continued from page 1)

organize independents. It was reed that this would be the organi- tion to stand by. As a result, a com- ttee will meet Thursday night in an ort to get all factions to agree on me kind of a joint program, so that en the smallest operator can join.

The initiation fee at present is $250 th dues at $25 monthly. A plan der discussion would tax members 0 for each negative reel and 10 nts for each positive print delivered exchanges. It is figured this would t the organization approximately 5,000 annually.

Once the producers here are com- etely organized they will discuss af- iation with the Federation of the M. Industry, but will insist upon local tonomy. Trem Carr emphasized the portance of a solid front. He said de problems would demand a strong ganization.

I. E. Chadwick's plea for a new or- nization and merging with the Fed- ation met little encouragement.

Toronto House Burns

TORONTO, Jan. 30.—Canada's big- st theatre fire in three years today ept the Danforth, a Famous Play- s house, doing $30,000 damage. The use of the fire, which occurred when one was in the structure, is un- own.

hea House Escapes Fire

BUFFALO, Jan. 30. — Fire which ined the Shea's Seneca theatre build- g, causing $50,000 damage did not mage the fireproof theatre proper all. The fire broke out after the eatre had closed for the night.

Variety Club Chatter

COLUMBUS, Jan. 30.—BILL CUNNINGHAM, genial dramatic critic of the *Columbus Citizen*, just flew in from his annual vacation in New York. Claims he covered 10 legitimate shows, three pictures in seven days, besides trying every cocktail parlor on Broadway. Also had an opportunity of being with MILT CANIFF and GEORGE TUCKER, two charter members of the Columbus Club, now making good with the Associated Press in New York.

JACK TRISCH, owner of Station WSEN and a director in the club, is vacationing in Florida. Ditto ROBERT HARMAN.

MRS. JACOB TARSHISH, wife of RABBI TARSHISH, featured speaker over WLW and chaplain of the Columbus Club, was operated on in White Cross Hospital. Condition slowly improving.

FATHER P. C. CORBETT, chaplain of the club, is on leave of absence in Houston, for a much needed rest.

OLSEN and JOHNSON and JOE GRIFFITH, company manager, were elected to associate membership and OLE, not wanting to be outdone, had prepared a beautiful scroll with photos and sketching of the two boys, to adorn the walls of the club.

ST. LOUIS, Jan. 30.—LOU ELLMAN got the thrill of his life when he bid and made a grand slam. JOE GARRISON was his partner.

The regular monthly meeting will be held Feb. 4.

Barker CULLEN ESPY in Chicago to catch some shows.

EDDIE ROSECAN and TONY MATRECI are heavy gymnasium addicts. Both boys out to take off a few pounds.

Tuesday is Ladies' Day at club quarters. MRS. HAROLD EVANS and MRS. GEORGE TYSON served as hostesses for the first two luncheons with MRS. BEN REINGOLD officiating at the third.

JACK HALEY and OLSEN and JOHNSON to be guests of honor at an impromptu "stag" at the club Feb. 5.

FREDDY SAIGH has become the club's outstanding "hearts" enthusiast.

JOE GARRISON, of Universal, is in charge of the pocket billiard tournament now being conducted.

JUDY POYNTER, of the Missouri, is director of the ping-pong tournament. Final eliminations next week.

JOHNNY BAKER, Missouri manager, escorted HELEN COMPTON around town during feminine band leaders' stay here.

JOE FELD has received a new nickname, "Mortal Cinch."

GENE KEMPER, manager of the closed Grand Central, has been sojourning in the "sticks" with Henry Ford's picture. During the past three months he has covered over 2,500 miles in Illinois, Kentucky and Missouri.

BOBBY MEEKER, orchestra leader and his band, have left the Jefferson for Memphis.

ALVIN WOLFF is in Pittsburgh to aid in the organization of the National Variety Club.

Lyle Trenchard Back In Old Stanley Job

WILMINGTON, Jan. 30.—Lyle Trenchard has been named manager of the Wilmington district, Philadelphia Zone of Stanley-Warner. The district includes Wilmington, Del., Chester, Pa., West Chester, Pa., Upper Darby, Pa., and a number of other houses in Delaware and Chester Counties in Pennsylvania. Trenchard returns to this district after an absence of many years. He was one of the first district managers for this section.

Trenchard succeeds Jack Flynn, who has been named assistant to Leonard Schlessinger, manager of the Philadelphia Zone.

Delay Quittner Rule

Decision was reserved by U. S. District Court Judge Francis G. Caffey yesterday on a motion to permit consolidation of the record for the appeal of the Edward Quittner anti-trust action against Paramount and major producer-distributors. The court gave Graham & Reynolds, counsel for Quittner, and attorneys for the defendants 10 days in which to file additional briefs.

Cheese Club Fetes Five

Gene Raymond, Walter Connolly, Nat Spingold, Donald Novis and Richard Fisher were guests at the Cheese club yesterday. Ben Atwell presided in the absence of Harry Hershfield.

Bell Sound Device Demonstrated Again

Members and guests of the Society of M. P. Engineers heard a second demonstration of sound in "auditory perspective" last night at the Engineering Societies Building. It included reproductions of both speech and music, with Dr. Harvey Fletcher, physical research director of the Bell Telephone Laboratories, in charge.

A demonstration was given several days ago at the same place. The Bell laboratories have been working on the system for many months. Last year music of the Philadelphia Symphony Orchestra was reproduced in both Washington and Philadelphia.

It is claimed to be the first reproduction with complete tonal range and exact values.

Tamara Ampa Guest

Tamara, singer in "Roberta," will be one of the guests at the Ampa meeting tomorrow. Tess Michaels of U. A. will preside for the fan magazine crowd.

Hynes Goes to Denver

Bernard Hynes, formerly in charge of personnel for RKO, has gone to Denver to manage the Orpheum and Denver for Harry Huffman.

Go West Tomorrow

Dr. A. H. Giannini, Joseph M. Schenck and A. Lichtman are scheduled to go west tomorrow.

Purely Personal

CHESTER MORRIS, recovered from a recent attack of influenza, wires that he will arrive from Hollywood Saturday prepared to begin work in CHESTER ERSKINE'S "Frankie and Johnny," slated to go into production at the Biograph studio soon.

JERRY SAFRON, Columbia's west coast division manager, hopped into New York from that Chicago sales meeting and left for the coast by the airline last night. That gave him exactly one day in New York.

EDDIE DOWLING will be master of ceremonies at the fifth annual dance of the Press Photographers Ass'n of New York Friday. Assistant M. C.'s: RUDY VALLEE, JULIUS TANNEN and JACK BENNY.

GRAND DUCHESS MARIE PAVLOVNA has been signed by Paramount to act as technical advisor on "Thirty Day Princess," a B. P. SCHULBERG production. She will leave for the coast on Feb. 6.

CARL LAEMMLE, who arrived from the coast for 10 days of conferences here before returning to Hollywood, will observe the 50th anniversary of his arrival in America on Feb. 14.

MORT BLUMENSTOCK, Warner theatre executive, is back from a trip to Cleveland, Pittsburgh, Washington and Philadelphia.

JACK HAYS, producer of Educational's "Baby Burlesque" series, arrived from Hollywood yesterday for a brief vacation visit.

JOE LEE recently sat next to JANET GAYNOR in the Fox projection room when he saw "Carolina" and was he thrilled?

SIMON FABIAN, co-receiver for Fox Metropolitan Playhouses, has returned from Miami, where he has been vacationing.

MADELEINE CARROLL, under contract to Fox, arrived from a European trip on the *Ile de France* yesterday.

I. A. MAAS, assistant foreign manager for Fox, has left for a trip to Mexico and Central America.

HARRY M. THOMAS, president of First Division Exchanges, has gone to Florida for a short vacation.

AL FRIEDLANDER, general sales manager for First Division, is back from a tour of exchanges.

ROBERT HUREL, head of the French film syndicate, arrived yesterday on the *Ile de France*.

HAL LEROY is due in today from the coast. He will attend the premiere of "Wonder Bar."

WILLIAM FITELSON, film attorney, sails for England Saturday on a business trip.

GERTRUDE NEISEN, radio singer, has been signed for a fourth Vitaphone short.

J. ROBERT RUBIN is up Syracuse way.

"Design" Is Twin Cities' Top, $16,000

MINNEAPOLIS, Jan. 30.—"Design for Living" easily led grosses in both Twin Cities this week, doing $9,000 at the Minnesota in Mineapolis and $7,000 in the smaller Paramount at St. Paul. "Dinner at Eight," shifted from the Minnesota to the Minneapolis State for its second Loop week, held up for a good $6,000.

Minneapolis grosses totalled $25,700 in five theatres and those in St. Paul went $18,150 to averages of $22,100 and $16,000, respectively.

Estimated takings:

Week Ending Jan. 18:

"KENNEL MURDER CASE" (Warners)
LYRIC—(1,238), 20c-25c, 7 days. **Gross:** $1,700. (Average, $1,500)

"DESIGN FOR LIVING" (Para.)
MINNESOTA—(4,000), 25c-40c, 7 days. **Gross:** $9,000. (Average, $7,500)

Week Ending Jan. 19:

"IF I WERE FREE" (Radio)
RKO ORPHEUM—(2,900), 20c-40c, 7 days. Kate Smith in person. **Gross:** $6,000. (Average, $5,500)

"DINNER AT EIGHT" (M-G-M)
STATE—(2,300), 25c-40c, 7 days. **Gross:** $6,000. (Average, $5,500)

"WALTZ TIME" (Gaumont-British)
WORLD—(400), 25c-75c, 7 days. **Gross:** $3,000. (Average, $2,000)

Estimated takings for the week ending Jan. 19:

"DESIGN FOR LIVING" (Para.)
PARAMOUNT—(2,300), 25c-40c, 7 days. **Gross:** $7,000. (Average, $5,500)

"I AM SUZANNE" (Fox)
RIVIERA—(1,200), 25c-40c, 3 days. **Gross:** $1,750. (Average for week, $3,500)

"SHOULD LADIES BEHAVE?" (M-G-M)
RIVIERA—(1,200) 25c-40c, 4 days. **Gross:** $1,750. (Average for week, $3,500)

"COUNSELLOR AT LAW" (Univ.)
RKO ORPHEUM—(2,600), 20c-40c, 7 days. **Gross:** $4,500. (Average, $4,000)

"BLOOD MONEY" (U. A.)
TOWER—(1,000), 15c-25c, 3 days. **Gross:** $850. (Average, $800)

"CRADLE SONG" (Para.)
TOWER—(1,000), 15c-25c, 4 days. **Gross:** $850. (Average, $700.)

"I WAS A SPY" (Fox)
WORLD—(300), 25c-75c, 7 days. **Gross:** $1,500. (Average, $1,500)

"Dinner" a $9,000 Hit in Des Moines

DES MOINES, Jan. 30.—The Des Moines, playing "Dinner at Eight" all week to packed houses set a new 1934 mark for other first runs here to shoot at, grossing $9,000, a cool $3,000 above average. S. R. O. signs, particularly at late matinees, were in constant use.

The Paramount did well, doing $1,000 above average on the dual bill, "The Prizefighter and the Lady" and "Berkeley Square."

Total take for the week was $30,500, compared with an average of $24,500.

Estimated takings for the week ending Jan. 13:

"THE PRIZEFIGHTER AND THE LADY" (M-G-M)
"BERKELEY SQUARE" (Fox)
PARAMOUNT — (2,300), 10c-35c-50c, 7 days. **Gross:** $8,000. (Average, $7,000.)

"THE BOWERY" (U.A.)
STRAND—(1,900), 10c-25c-35c, 7 days. **Gross:** $4,500. (Average, $4,000.)

"MAN'S CASTLE" (Radio)
ORPHEUM—(2,200), 10c-25c-35c, 7 days. **Gross:** $5,000. (Average, $4,500.)

"BROADWAY THRU A KEYHOLE" (U.A.)
GARDEN—(1,300), 10c-25c-35c, 7 days. **Gross:** $4,000. (Average, $3,500.)

"DINNER AT EIGHT" (M-G-M)
DES MOINES—(2,200), 10c-35c-50c, 7 days. **Gross:** $9,000. (Average, $6,000.)

Boston Gives $20,000 Take To "Fugitive"

BOSTON, Jan. 30.—Fair business was reported for the week, although totals were below the past three or four weeks.

Keith's, with "Man's Castle," was up $3,000, while the Metropolitan, with "Miss Fane's Baby Is Stolen," was up $3,500, but the latter had the assistance of Cab Calloway's Cotton Club Orchestra to maintain totals.

Total first run business for the week was $109,000. Average is $95,000.

Estimated takings for the week ending Jan. 18:

"LET'S FALL IN LOVE" (Col.)
BOSTON—(2,900), 25c-50c, 7 days. Bert Lahr and vaudeville. **Gross:** $20,000. (Average, $16,000)

"EIGHT GIRLS IN A BOAT" (Para.)
"OLSEN'S BIG MOMENT" (Fox)
FENWAY—(1,800), 30c-50c, 7 days. **Gross:** $9,000. (Average, $9,000)

"MAN'S CASTLE" (Col.)
KEITH'S—(3,500), 30c-50c, 7 days. **Gross:** $19,000. (Average, $16,000)

"FUGITIVE LOVERS" (M-G-M)
LOEW'S STATE—(3,700), 35c-50c, 7 days. Vaudeville. **Gross:** $20,000. (Average, $16,000)

"MISS FANE'S BABY IS STOLEN" (Para.)
METROPOLITAN—(4,350), 30c-65c, 7 days. Cab Calloway's Cotton Club revue. **Gross:** $31,500. (Average, $28,000)

"EIGHT GIRLS IN A BOAT" (Para.)
"OLSEN'S BIG MOMENT" (Fox)
PARAMOUNT—(1,800), 30c-50c, 7 days. **Gross:** $9,500. (Average, $9,000)

Fox Switches a Title

HOLLYWOOD, Jan. 30.—Final release title on Fox's "Disillusion," featuring John Boles and Rosemary Ames, is "I Believed in You."

Nice and Quiet

Two exhibitors discussing a third's purchase of a theatre didn't regard the buy a smart move.

After going into some detail on the policy, one of the duo chirped:

"The house does a nice, quiet business."

"Counsellor" Gets $19,700, Detroit

DETROIT, Jan. 30.—"Counsellor At Law" was the only first-run to get over par last week, netting $19,700 at the Fox, aided by a stage show. The Michigan was second with "Eight Girls in a Boat" and Duke Ellington's revue on the stage.

Total for the week was $60,100, against an average of $77,000 and $63,300 the previous week.

Estimated takings for the week ending Jan. 18:

"FLYING DOWN TO RIO" (Radio)
DOWNTOWN—(2,750), 15c-40c, 7 days, 2nd week. **Gross:** $6,100. (Average, $10,000)

"ROMAN SCANDALS" (U. A.)
FISHER—(2,975), 15c-40c, 7 days, 3rd week. **Gross:** $5,200. (Average, $10,000)

"COUNSELLOR AT LAW" (Univ.)
FOX—(5,100), 15c-50c, 7 days. Stage: Milton Berle, Jack Whiting, Owen McGivney. **Gross:** $19,700. (Average, $15,000)

"EIGHT GIRLS IN A BOAT" (Para.)
MICHIGAN—(4,100), 15c-50c, 7 days. Stage: Duke Ellington revue. **Gross:** $16,500. (Average, $20,000)

"DINNER AT EIGHT" (M-G-M)
UNITED ARTISTS—(2,070), 25c-50c, 7 days. **Gross:** $8,500. (Average, $10,000)

"FROM HEADQUARTERS" (Warners)
STATE—(3,000), 15c-50c, 7 days. Stage: Ann Pritchard & Co., Senator Murphy, Ross & Ayers. **Gross:** $4,100. (Average, $12,000)

Dirge of the Salesman

Know Your Man

I had just left the manager's office
In my ears his sales talk was ringin'.
And being quite new—I knew I'd be thru
If some contracts I quickly didn't bring in.

Ambition and vigor just filled me,
For selling was really my hobby;
And maybe that's why—with a glint in my eye
I sauntered right into the lobby.

"Good evening, my dear sir," I warbled,
"My pictures will sure be a riot.
For the kind that I've got—are the best of the lot
And there's none who will try to deny it."

I raved 'bout our wonderful product,
'Bout our marvelous sure-fire lineup.
And by the way he would smile—I knew in a while
That he'd be quite easy to sign up.

When I put down the various prices,
He nodded in sweet approbation.
And it seemed he confessed—that he was impressed
Our pictures would be a sensation.

So I cheerfully pulled out a contract,
But imagine my terrible sorrow
When then I was told—by the man I thought sold
"That the boss won't be in till tomorrow."

Just try to imagine my feelings,
I felt just as cheap as a quarter.
For the man who had yessed—by now you'll have guessed
Turned out to be only a porter.

—By Jack Ellis of the New York RKO Exchange on whose head the blame rests.

Philadelphia Gives Canto Huge $33,00

PHILADELPHIA, Jan. 30.—Eddie C tor was the big noise last week, g ting an amazing $33,000 with his p sonal appearance at the Earle in c junction with "Bombay Mail" on screen. He eclipsed his own rec of a year ago when he played dur New Year holiday week.

"Alice in Wonderland" pulled matinees at its second run at the cadia to tilt the gross to $3,8 "Little Women" ended strongly its third week (including two ex days) with $14,000. "Convent City" topped average at the Stan

Total first run business was $98,5 Average is $30,600.

Estimated takings for the week e ing Jan. 17:

"ROMAN SCANDALS" (U.A.)
ALDINE—(1,300), 40c-55c-65c, 4 da 4th week. **Gross:** $4,000. (Average, 6 d $7,000.)

"ALICE IN WONDERLAND" (Par (2nd run)
ARCADIA—(600), 25c-40c-50c, 6 da **Gross:** $3,800. (Average, $2,400.)

"LITTLE WOMEN" (Radio)
BOYD—(2,000), 40c-55c-65c, 8 days, week. **Gross:** $14,000 (Average, 6 d $12,000.)

"BOMBAY MAIL" (Univ.)
EARLE—(2,000), 40c-55c-65c, 6 d Stage: Eddie Cantor. **Gross:** $33, (Average, $12,000.)

"ORIENT EXPRESS" (Fox)
FOX—(3,000), 30c-40c-65c, 6 days. Sta Donald Novis, Bert Nagle and Tivoli G Miller Brothers, Johnny Lee. **Gr** $15,000. (Average, $16,000.)

"BY CANDLELIGHT" (Univ.)
KARLTON—(1,000), 30c-40c-50c, 6 d 2nd week. **Gross:** $3,200. (Average, $3,5

"MR. SKITCH" (Fox) (2nd run)
KEITH'S—(2,000), 25c-35c-40c, 6 d Stage: Yvette Rugel. **Gross:** $7, (Average, $7,000.)

"FLYING DOWN TO RIO" (Radio)
STANLEY—(3,700), 40c-55c-65c, 6 d **Gross:** $11,000. (Average, $12,000.)

"CONVENTION CITY" (F.N.)
STANTON—(1,700), 30c-40c-55c, 6 d **Gross:** $7,500. (Average, $7,000.)

"Scandals" Pulls $13,800, Buffa

BUFFALO, Jan. 30.—"Roman Sc dals" did the town's business at $5, above normal and was held over. total was $13,800.

"Going Hollywood" died in Buffalo, despite its eighth annivers ballyhoo. "Hot Chocolates" was sponsible for the Hipp's $2,000 o age, the picture, "Blood Money," ting only derision from audiences.

Total first run take was $53,8 Average is $49,500.

Estimated takings for the week e ing Jan. 19:

"GOING HOLLYWOOD" (M-G-M)
BUFFALO—(3,500), 30c-55c, 7 d Stage: Alice Joy, Radio Rubes, Hud Wonders, Melissa Mason, Ray Huling Seal. **Gross:** $13,500. (Average, $15,00

"THE WORLD CHANGES" (F.N.)
"GIRL WITHOUT A ROOM" (Para
CENTURY—(3,000), 25c, 7 days. **Gr** $7,000. (Average, $6,000.)

"ROMAN SCANDALS" (U.A.)
GREAT LAKES—(3,000), 25c-40c, 7 d **Gross:** $13,800. (Average, $8,500.)

"BLOOD MONEY" (U.A.)
HIPPODROME—(2,100), 25c-40c, 7 d Stage: "Connie's Hot Chocolates of 19 with LeRoy Smith & Orchestra, Peg Bates, Avis Andrews, Baby Cox, Lu Seven Trio, The Gobs. **Gross:** $12 (Average, $10,000.)

"ABOVE THE CLOUDS" (Col.)
LAFAYETTE—(3,300), 25c-35c, 7 d Stage: Frank Conville & Sunny D Large & Morgner, Four Little Nephe Barney Grant, Lorraine Ryan. **Gr** $7,500. (Average, $10,000.)

eed Court Approval For St. Louis Deal

T. Louis, Jan. 30.—Court ap-val is the only thing lacking for completion of the F. & M. deal for ng over the Fox from the re-ers, Edmund Koeln and J. T. Blair. opposition is expected.

n anticipation of the approval F. M. has transferred Harry Singer Denver and it is expected Harry enman will manage the house. at the stage policy will be remains e decided.

nder the terms of the deal F. & M. pay $1,350 a week for rent, taxes reinsurance and all the operating enses, and will split any profit 50- with the receivers. The operating pany will be called the Eden Thea-Co.

ooper Mediator on Kansas City Scales

Kansas City, Jan. 30.—Joseph A. oper, who operates houses in Ne-ska, Oklahoma and Colorado, has n brought into the local price argu-nts as a mediator because Loew's lland advertising in Kansas City ers reaches his towns and causes est when he tries to charge more n 25 cents.

He is understood to favor conces-ns by neighborhood houses on dis-ed points in order to get Loew's to st the Midland rates and thereby bilize the whole price situation eabouts. In some spots Cooper op-tes in partnership with Paramount.

Attending a conference yesterday re Jay Means, Elmer Rhoden, Ed binsky, Clarence Schultz and ers.

eek Distribution Of a Skouras Fund

St. Louis, Jan. 30.—Thornton W. rgent, Jr., at one time publicity ector for the Skouras Super Thea-s Corp., has filed suit in Circuit urt demanding a distribution of 3,000 belonging to the Skouras Em-yes' Mutual Aid Ass'n.

The money was raised, the petition tes, by contributions and assess-nts and a 10 per cent charge on all ses.

Villiam L. Busby Dead

Cape Girardeau, Mo., Jan. 30.—lliam L. Busby, president of the sby Poster Advertising Co., of incy, Ill., was found dead here at Marquette Hotel. He was on his y to Miami with his brother.

At one time Busby was partner in Busby Brothers Theatrical Co., ners of a string of about 30 houses.

. M. Beyer Shoots Self

Kansas City, Jan. 30. — W. M. yer, 71 years old, owner of the yer Theatre at Excelsior Springs, o., committed suicide by shooting nself in a hotel room here. The atre is under lease to Fox Mid-st.

Deny Raft-M-G-M Rift

Hollywood, Jan. 30.—Reports that arry Raft would quit M-G-M are nied with the statement that he is out to start three new features and working under a new contract ned six months ago.

Looking 'Em Over

"He"

(*First Division*)

Spicy, wholly French in spirit. The film gets its humor by taking virtue for a kidding. For grown-ups and sophisticates it is fun of the first order.

The story, based on a tale by de Maupassant, is intriguing and off the beaten path. A French town, unable to find a maiden pure enough to crown as "Queen of Virtue" at its annual rose festival, is forced to fall back upon a village bumpkin, whom it designates "King of Virtue."

During a feast in his honor, the lad, filled with wine, wanders off to Paris, there to lose his chastity in a frowsy dance hall. The whole village turns out to find him. The boy returns of himself, but he no longer is found to act like the timid boy he used to be.

The cast does good work. Fernandel (first name he has none for acting purposes) gives a fine performance as the boy. Others who are especially good are Colette Darfeuil and Francoise Rosay. Bernard Deschamps directed intelligently.

The film has been dubbed very well. Its musical score, by Michael Levine, is commendable.

"Curtain at Eight"

(*Majestic*)

For a mystery "Curtain at Eight" rates no better than so-so. This is a pity, for it has a cast that, judging from past performances, ought to put any film in the category of good entertainment—that is, with the proper material to work with. To boost this production it will be necessary to plug the players more than anything else. Not much can be said for the story, from the pen of Octavus Roy Cohen. Among the players are Dorothy Mackaill, Paul Cavanaugh, Hale Hamilton, Jack Mulhall, Sam Hardy, Natalie Moorhead, Russell Hopton, C. Aubrey Smith and Marion Shilling.

The picture is slow in getting under way and a little dull, and the recording does not help it along any. A gay Lothario of a matinee idol seduces the sister of an actress in his company. At a backstage party in his honor he is shot to death in a moment while the stage is in darkness. This and that person is suspected. Even a trained chimp is under suspicion. The chief sleuth fastens the guilt on the chimp, but his assistant, although he knows Miss Mackaill killed the actor to avenge her sister's suicide, never puts him wise and allows the young woman to go unmolested, feeling that the seducer deserved what he got.

E. Mason Hopper directed with little distinction.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"It Happened One Night"

(*Columbia*)

Hollywood, Jan. 30.—Clark Gable and Claudette Colbert in "It Happened One Night" play romance studded with laughter, making swell, human entertainment which should clean up at anybody's box-office.

Gable registers all his rough and ready romantic flair, adding a new comedy wrinkle to top off the love stuff in grand style.

The story spins around a chance meeting of Gable with Miss Colbert in a night bus. As a reporter just fired and an heiress escaping from a stubborn dad to marry a society rake for spite, their personalities do not click at first, but warm up gradually. Discovering who the girl is, Gable, torn between his romantic inclinations and his reportorial duty, decides in favor of his duty. At an auto camp, he contrives by means of a blanket, which he calls "The Walls of Jericho," to be separated from her.

Romantic incident, comedy predominating, interlaces the plot, climaxing in Miss Colbert's running out on the rake at the height of the marriage ceremony to locate Gable.

Big, sustained laughs are the hitch-hiking sequence and the wow finish of Gable, with a trumpet, blowing down "The Walls of Jericho," all unseen.

Frank Capra's skilfull and intelligent direction puts box-office values foremost. Robert Riskin's screen play is smart and exciting. The members of the supporting cast are all good.

The production seems headed to go places with audiences and do things for showmen.

Dubinsky Discusses Wages in St. Louis

St. Louis, Jan. 30.—Ed Dubinsky conferred here today with the Regional Labor Board and William Elliott of the I.A.T.S.E The board's decision was not announced.

Dubinsky returned last week from Washington with the announcement that he had been given a clean bill of health and cleared of code violation charges on the ground that his union contract expired Dec. 1 and the code was not signed until Dec. 7.

Cincy Has Only 121 Sound Houses Dark

Cincinnati, Jan. 30.—Out of 1,346 houses, with a total seating capacity of 527,724 in the Cincinnati trade territory, there are only 121 sound houses closed, while 521 silents are shuttered.

The Film Board of Trade records show 195 circuit-controlled houses in the territory. Of these, 69 are producer-affiliated, and 126 unaffiliated.

Issue "Fashions" Book

Warners have turned out a striking pressbook on "Fashions of 1934," 17 in. x 11 in., bound in a blue cover ornamented with silhouette designs, and sent out in an envelope to match. Inside are 42 pages in black and white, with reproductions of the New York reviews to start off. S. Charles Einfeld's staff has included a serial, a full page Sunday feature mat, a large 10-page advertising insert, 12 pages of exploitation tieups, and a radio broadcast script.

Embassy vs. Pathe

Arguments were heard by U. S. District Court Judge William Bondy yesterday on an action brought by Embassy Pictures to restrain Pathe from interfering with Embassy's distribution of Harold Lloyd reissues, and on a counter action brought against Embassy by Pathe. Decision was reserved by the court.





Dog Teams used in many cities! Showmanship gets packed houses for M-G-M's "ESKIMO"

WANTED! 5000 DOG TEAMS!



"Eskimo" is the showman's delight!

Roll up your sleeves and watch the dough roll in!

Not since "Trader Horn" have showmen got such promotion results!

Get the Giant Campaign Book. It's a pleasure to promote!

Photos from everywhere tell the most amazing exploitation story in 10 years! They're all in the press book with full details!

M-G-M's "ESKIMO"

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

L. 35. NO. 27 NEW YORK, THURSDAY, FEBRUARY 1, 1934 TEN CENTS

Authority Has 870 Names For 352 Code Board Posts

Here Are Names from Which Appointments Will Be Made

Personnel of clearance and zoning and grievance boards, as well as secretaries, is being drawn from the following official list, corrected as to spelling by MOTION PICTURE DAILY *correspondents throughout the United States:*

Albany—Jack Beck, Wm. E. Benton, C. H. Buckley, Victor Bunz, C. G. Eastman, Henry Frieder, R. C. Halligan, Jane Halloran, D. J. Harrington, Harry Hellman, Charles Johnson, M. J. Kallet, Maurice Kronick, Lou Lazar, Bernie Mills, William Raynor, Jacob Rosenthal, Tony Ryan, Nate Sauber, Morris Shulman, Morris Silverman, William C. Smalley, Ray Smith, A. Stone, Charles Wilson.

Atlanta—W. W. Anderson, Sherwood L. Astin, Louis Bach, A. C. Bromberg, John T. Mangham, Jr., Willis J. Davis, John Evans, John Ezell, Alpha Fowler, George E. Fuller, J. W. Hanlon, Love B. Harrell, M. C. Howard, Charles Hughes, William K. Jenkins, L. D. Joel, Ike Katz, Lionel H. Keene, O. C. Lam, Roy LeCraw, Albert G. Maxwell, Ernest Morrison, Sam Moscow, W. T. Murray, Dave Prince, Capt. James A. Rebb, Mrs. Alonzo Richardson, Adolph Samuels, Ralph Smith, W. Burton Smith, Tony Sudekem, George W. West, Fred Weis, R. B. Wilby, Mitchell Wolfson.

Boston—Edward Ansin, Tom H. Bailey, Joseph M. Brennan, Merton Carr, J. M. Casey, R. C. Cropper, John A. Dervin,

(*Continued on page 8*)

Canvass by M. P. Daily Corrects Names and Ends Duplicates

With recommendations for clearance and zoning and grievance boards before the selection committee and 28 of 32 zones tentatively set up for approval of the Code Authority, exactly 870 names were suggested from all parts of the country for the 352 posts. Because of the illegibility and, in many cases, inaccuracy in names submitted, MOTION PICTURE DAILY has just completed an official canvass for correct spellings. All correspondents of this publication assisted in revising the lists submitted by the authority.

The Code Authority has admitted from time to time that it is not responsible for the spellings, and in many instances, because of errors, duplications were released for publication. However, the fault lay with the men making the suggestions since a majority of names were in long hand and difficult to decipher. MOTION PICTURE DAILY, in cooperation with the authority, brought its field forces into

(*Continued on page 9*)

The Future of Sound Bared To Engineers

By J. M. JERAULD

What lies in the future of sound reproduction can be guessed in a vague way following a demonstration of the elaborate apparatus developed by Dr. Harvey Fletcher, physical research director of the Bell Telephone Laboratories.

Erpi foresees the ultimate in sound—perfection in other words—with no resort to sound effects, with voices following characters around on the

(*Continued on page 2*)

Allied Seeks Borah's Help In Code Fight

WASHINGTON, Jan. 31.—In a move, perhaps the first of others to come, Allied today sought to take its fight on the code into Congress when Abram F. Myers wired its protest to Senator Borah of Idaho. The telegram was inserted in the *Congressional Record.*

Speaking for the board of directors, Myers' wire invited the senator's attention "to a device resorted to by Code Authority for the motion picture

(*Continued on page 8*)

Johnston, Yamins, O'Reilly Signed Up

Reports in circulation for the last few days that the three independent members of the Code Authority had not signed assent forms are denied by all parties. Nathan Yamins yesterday answered MOTION PICTURE DAILY's query, stating he sent in compliances for all his New England houses two weeks ago.

W. Ray Johnston, president of Monogram, said he had signed the assent forms as did Charles L. O'Reilly, president of the T. O. C. C.

Kohn O.K.'s Partners; Para. Tags on Creditors' Films

Paramount's bankers who participated in the 1932 refinancing plan which resulted in the assignment of film negatives to Film Productions Corp. to secure Paramount's $13,200,000 credit, became nervous when the company went into receivership a year ago and asked that all negative

(*Continued on page 9*)

Paramount theatre operations under field partnerships are working smoothly and with a high degree of satisfaction for both the home office and the operating partners, Ralph A. Kohn, theatre department head, said yesterday on his return from a two weeks' trip which included meetings

(*Continued on page 9*)

Burkey Suit Ended By K.C. Agreement

KANSAS CITY, Jan. 31.—The anti-trust suit of Walter O. Burkey, former exhibitor, against 14 distributors and the Film Board of Trade has been

(*Continued on page 12*)

New Fox Met Setup Will Come Up Soon

Reorganization plans for Fox Metropolitan Playhouses are imminent and may be completed before hearing of

(*Continued on page 10*)

dministrator 'ells Dangers)f Censorship

ess Agents Hear How They Can Help Out

DLLYWOOD, Jan. 31.—Opposition to rnmental censorship of picture an assertion that press agents l be a vital factor in warding off ism of the industry because of sex and questionable advertising ods highlighted Division Administor Sol A. Rosenblatt's first pubpeech here yesterday. It was de-ed to the Wampas.

arlier in the day Rosenblatt had ed the system of the Central Cast-

(*Continued on page 9*)

vy to Meet ITOA About Radio Sales

les Levy, general sales manager KO, has consented to meet with bers of the I. T. O. A. in an ef-to settle differences on the com-sales program.

ie meeting will be held tomorrow he Astor and it is expected the against the producer-distributor be lifted by the local exhibitor nization. Harry Brandt, who has

(*Continued on page 12*)

ew Saenger Plan Now Nearly Ready

EW ORLEANS, Jan. 31.—A plan of ganization which will bring about nd of the bankruptcy of Saenger atres without a public sale of the pany's assets is nearing comple-here.

he most stubborn obstacle in the of completion of the plan has an adjustment of a $2,300,000 l issue which would be satisfac-

(*Continued on page 10*)

& M. Pact O. K.'d By St. Louis Court

T. LOUIS, Jan. 31.—After a slight ige in the contract made at the re-t of the court, approval of the F. I. deal for the Fox has been given. change was made by Harry C. hur by telegraph from New York. arry Greenman is managing the se, policy of which will continue a double feature basis until an eement is reached by subsequent first run theatres to drop twin

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Ayer Gets Heir

Last night, at precisely 8:44, Fred Ayer, of the *Motion Picture Herald* staff, stepped into the realm of parenthood, via a daughter born to Mrs. Ayer at the Flushing Hospital. So excited was the father, he forgot to mention the weight, but mother and child are very well.

Zukor to Return Soon

HOLLYWOOD, Jan. 31.—Adolph Zukor plans to leave here for New York Thursday night, concluding a two weeks' visit at the Paramount studio. Discussions of next season's production schedule held during his visit point to maintenance of the company's customary program of 60 features.

Graham on Cruise

LONDON, Jan. 31.—John C. Graham, general representative for Paramount in England, is in the West Indies on a cruise that will keep him away from London for eight weeks.

THE Standard TICKET REGISTER CORP.

Will Repair and Rebuild Any Make

Ticket Register

Good as New

—Mechanically Perfect—

Not to Exceed $10.00 per Unit

Twelve Months' Guarantee

Expert Factory Mechanics

SERVICE DEPARTMENT

CHickering 4-6810-11

1600 BROADWAY NEW YORK

GEORGE MEAD, General Manager

The Future of Sound Bared To Engineers

(*Continued from page* 1)

screen, right to left, approaching or departing; with musical effects modulated to suit the fancy of a director at the mixing panel of any theatre; with defects corrected after the original recording at the studio.

Musical experts have already argued about the perfection of the results. A non-technical listener is more apt to gasp, and then applaud, as a demonstration proceeds.

An audience made up of members and guests of the Society of M. P. Engineers did both. One lusty enthusiast whistled. All the sounds—gasps, hand-clapping and whistle—were recorded by an indicator on the side of the screen in the Engineering Societies Building the other night.

It is called "auditory perspective." For purposes of two recent demonstrations at the Engineering Societies Building the telephone company has rigged up three loud speakers behind the stage curtain, with a mixing panel in the balcony, an orchestra and singer on the fifth floor some distance away, and operators in a projection booth. All are connected with a microphone on the speaker's desk to the left of the stage.

Some of the sounds are reproduced from records. All the others came from the orchestra and a woman soloist.

By means of the three loud speakers, each of which is equipped to reproduce frequencies from around 32 to over 15,000 per second. Dr. Fletcher explained that some ears couldn't hear sounds over 15,000 frequencies. This listener was one of them.

An illuminated chart with a moving line indicated the progress of one sound from a deep bass that rumbled like an enormous pipe organ up to a thin wail that sounded like the rising note of a siren. Then he ran the sound up and down from 32 to 40 on the chart. Windows rattled, seats shook with pretty much the effect of a barber shop vibrator on the spine, and the walls boomed. Dr. Fletcher explained that the exact resonance of any room or auditorium could be measured with this instrument.

Then he reproduced the effect of a man sawing wood on the right of the stage until a board fell with a flop, and what seemed to be a carpenter's voice came from the other side of the stage telling what to do with it. A third voice responded from the back of the stage. A pistol shot exploded on the left of the stage and the bell of a target "pinged" on the right.

In another demonstration a symphony orchestra played a Wagnerian selection. This came from the fifth floor. Dr. Fletcher then said the man at the mixing panel in the balcony would modify it to suit himself. An illuminated chart showed what sound frequencies were being blocked out.

At will the dial operator made the bass notes loud or soft, or brought the stringed instruments in in full volume, or muted the brass instruments. The most astonishing feature of it was the illusion that the bass notes were coming from the left of the stage, the strings from the center and the brasses from the right, with the drums in the rear.

In another demonstration a band was brought in softly from the right, as though approaching from a distance. The volume increased to a full-bodied mass rhythm, as though a parade were passing, and decreased gradually to the left of the stage as though it had passed.

This suggests the possibility that small theatres desiring full symphony orchestras could buy them by wire from a de luxe house and reproduce them to suit the fancy of their own musical directors. Dr. Fletcher said that Leopold Stokowski had already suggested that opera could be produced with good-looking young players doing it in pantomime and the singers backstage or at some distant point. Voices could follow the silent players about the stage.

Dr. Fletcher made no predictions as to the future possibilities. He simply suggested them. What it would cost to manufacture the equipment on a quantity basis remains to be discovered. How many of these varied effects can be applied to theatres and show a profit is something for cost experts to decide, but it is obvious that sound in theatres still has a long way to go, and that shrewd showmen looking for novelties can find them.

Stocks Recede on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	25¾	24⅜	25	—1	1,000
Consolidated Film Industries	4½	4⅜	4⅜	— ⅜	500
Consolidated Film Industries, pfd	14	13½	13½	— ½	900
Eastman Kodak	90¼	89	89⅜	— ⅛	1,500
Fox Film "A"	16¼	15⅝	15⅞	— ⅜	3,100
Loew's, Inc.	29⅜	28½	28½	— ⅝	12,200
Paramount, cts.	3	2⅞	3	— ⅛	6,500
Pathe Exchange	2⅝	2⅜	2½	.....	6,800
Pathe Exchange "A"	13⅜	12⅝	13	— ⅜	2,500
RKO	3	2⅞	3	.....	2,800
Warner Bros.	7⅛	6¾	6¾	— ¼	7,400

Technicolor Down ¼ on Curb

	High	Low	Close	Net Change	Sales
Sentry Safety Control	5/16	5/16	5/16	.....	400
Technicolor	10⅛	9¾	9¾	— ¼	500

Loew Bonds Advance 1⅞

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	6¼	6¼	6¼	— ½	14
General Theatre Equipment 6s '40, ctf	6⅞	6¾	6⅞	— ⅛	3
Loew's 6s '41, ww deb rights	93⅞	92	93⅞	+1⅞	5
Paramount Broadway 5½s '51	36¼	36	36¼	+ ⅛	2
Paramount F. L. 6s '47	36	36	36	— ½	1
Paramount Publix 5½s '50	37¼	36⅝	36⅝	— ⅛	3
Pathe 7s '37, ww	88	88	88	.....	4
Warner Bros. 6s '39, wd	54	52½	52½	— ¾	44

Purely Personal

ARMAND DENIS leaves Hollywood Sunday and on Feb will meet his wife, LEILA ROOSEV DENIS, who concludes an around-t world "flivver" trip at San Franci on that date.

BERT SANFORD acted as toastma at an Erpi Club dinner last night members of the team that won M. P. Baseball League pennant.

M. J. WEISFELDT has moved offices from 927 Seventh Ave. to Fifth Ave.

HALSEY RAINES is vacationing the south.

NAT SPINGOLD plans to leave fo Miami vacation on Saturday.

GENE RAYMOND expects to go Miami at the end of the week fo rest.

PHIL GOLDSTONE is in from coast and leaves on a European j shortly.

AL JOLSON gets in this morning the Century.

LARRY SCHWARTZ of Paramou Paris office is in town for a vis

"Angel" Heads List Of "B. O. Champion

"I'm No Angel" heads *Motion ture Herald's* list of 13 "Box-O Champions" for 1933. The select are based on 8,000 bookings in 157 theatres during the calendar year

The other 12 selections fol "Cavalcade," Fox; "Gold Digger 1933," Warners; "Little Wom Radio; "42nd Street," Warn "Tugboat Annie," M-G-M; "Be Tonight," released by Unive "State Fair," Fox; "Girls in form," German release by Krimsl Cochrane; "Rasputin and the press," M-G-M; "Animal Kingd Radio; "The Kid from Spain," uel Goldwyn; "The Private Li Henry VIII," London Films, rel by United Artists.

Honorable mention was given Match King," First National; "Di at Eight," M-G-M; "Sign of Cross," Paramount; "Sailor Good," Radio; "The Bowery," U Artists, and "Lady for a Day," Co bia.

Now in Preparation

"THE LOST JUNGLE"

A 12-Episode Serial

with

CLYDE BEATT

and

Entire Hagenbeck-Wallace Circus of Wild Animals

MASCOT PICTURES COR

1776 BROADWAY NEW YORK, N.



Garbo

QUEEN CHRISTINA



BEERY
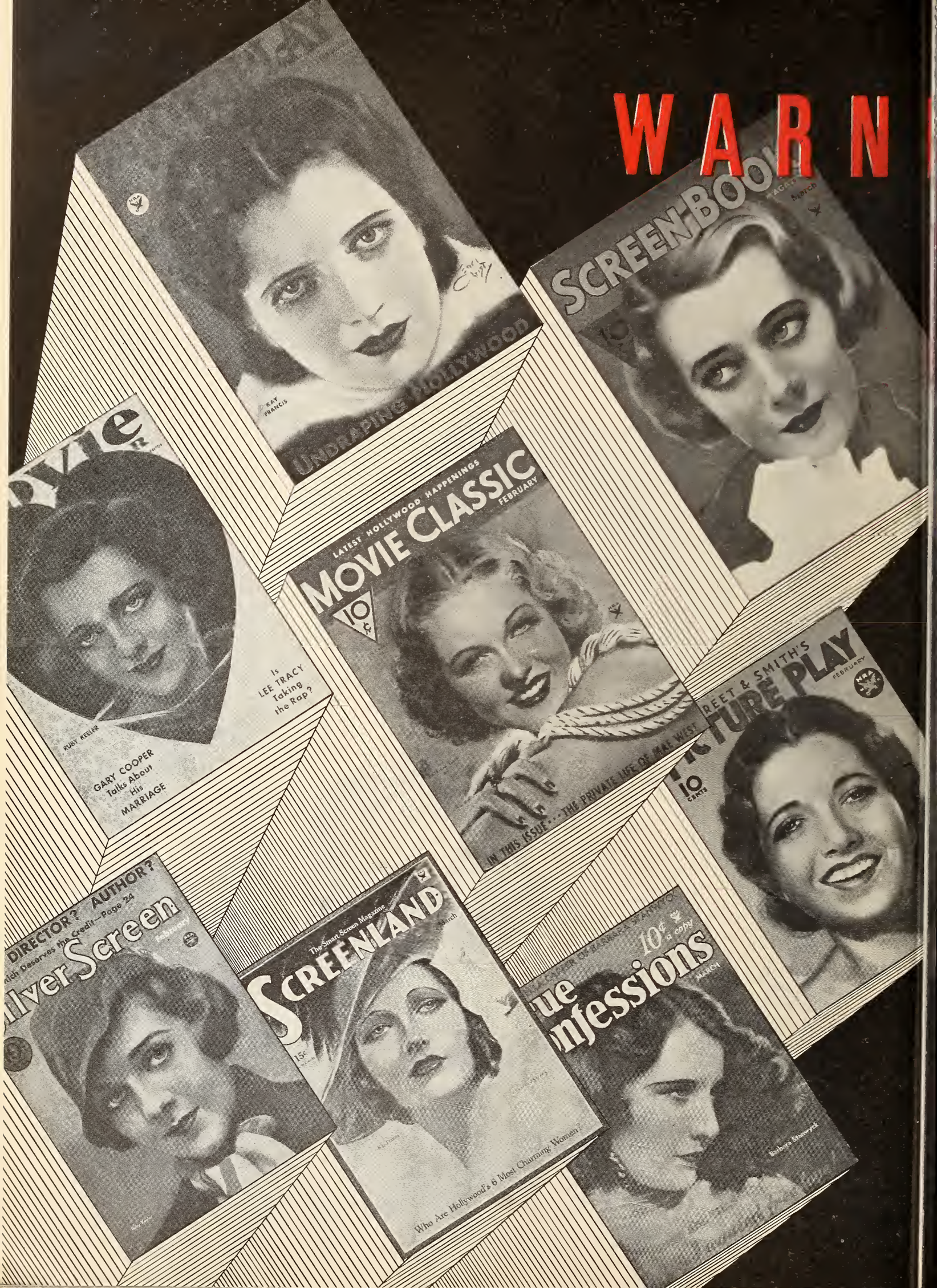
VIVA VILLA



SHEARER

RIP TIDE

Great m-g-m events Soon To Electrify the Box-offices of the nation!


WARN
KAY FRANCIS
UNDRAPING HOLLYWOOD
SCREEN-BOO
MARCH
LATEST HOLLYWOOD HAPPENINGS
MOVIE CLASSIC
FEBRUARY
10¢
IN THIS ISSUE—THE PRIVATE LIFE OF MAE WEST
RUBY KEELER
Is LEE TRACY Taking the Rap?
GARY COOPER Talks About His MARRIAGE
REET & SMITH'S
TURE PLAY
FEBRUARY
10 CENTS
DIRECTOR? AUTHOR?
Deserves the Credit—Page 24
ilverScreen
FEBRUARY
The Smart Screen Magazine
SCREENLAND
March
15¢
Who Are Hollywood's 6 Most Charming Women?
10¢ a copy
nfessions
MARCH
Barbara Stanwyck

BROS. STARS

Increase Circulation

Statistics show that these famous faces sell magazines just as surely as they sell tickets. That's why *eight leading fan magazines* came to Warner Bros. for the covers of their current issues! The acid proof that Warners lead in star strength is the fact that these names are

THE BIG NEWS ON EVERY NEWSSTAND TODAY—

20 Stars

Kay Francis
Leslie Howard
Paul Muni
Barbara Stanwyck
Ruby Keeler
Joan Blondell
Jean Muir

Joe E. Brown
William Powell
Ruth Chatterton
Richard Barthelmess
Dick Powell
Aline McMahon

James Cagney
Edward G. Robinson
Al Jolson
Bette Davis
Ricardo Cortez
Warren William
Hal LeRoy

30 Featured Players

Adolphe Menjou
Mary Astor
George Brent
Genevieve Tobin
Frank McHugh
Lyle Talbot
Hugh Herbert
Claire Dodd
Robert Barrat
Gordon Westcott

Ann Dvorak
Patricia Ellis
Margaret Lindsay
Guy Kibbee
Arthur Hohl
Philip Faversham
Donald Woods
Paul Kaye
Hobart Cavanaugh
Philip Reed

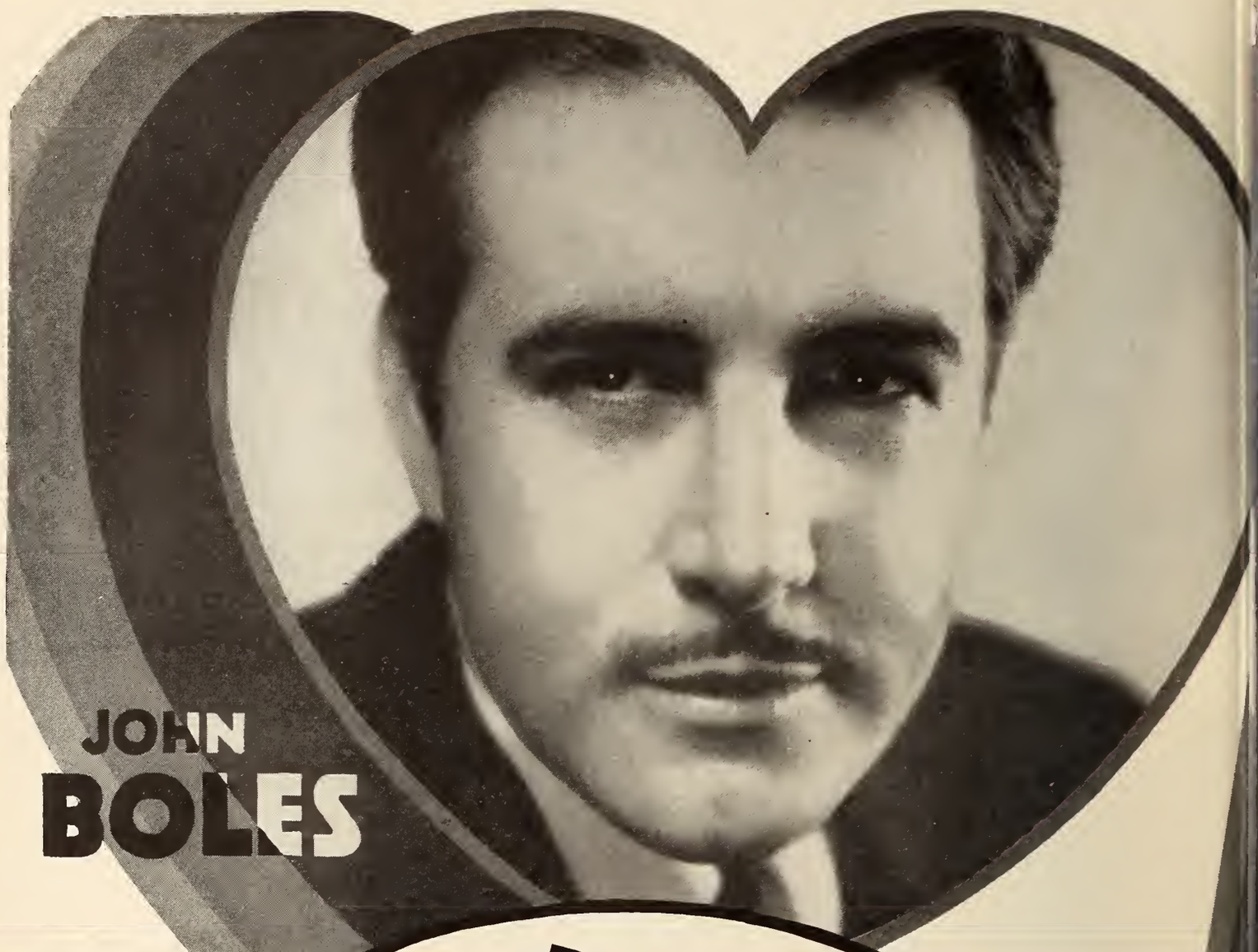
Pat O'Brien
Glenda Farrell
Ruth Donnelly
Veree Teasdale
Kathryn Sergava
Allen Jenkins
Marjorie Lytell
Enrico Caruso, Jr.
Theodore Newton
Henry O'Neill

19 Directors

Alfred E. Green
Lloyd Bacon
Archie Mayo
William Keighley
Arthur Greville Collins
John F. Dillon

Mervyn LeRoy
Michael Curtiz
Busby Berkeley
Robert Florey
Stanley Logan
Daniel Reed
G. W. Pabst

Frank Borzage
William Dieterle
Raymond Enright
Murray Roth
Frank McDonald
Tay Garnett



JOHN BOLES

BIG BUSINESS FOR THE ROXY, N.Y.

Says N. Y. Herald-Tribune: "Has that spark of feeling worth dozens of technically perfect but cold pictures . . . Like 'Little Women', its charm is old-fashioned and its romance flowery."

Says N. Y. Daily Mirror: "A pretentious musical film, which is tender, charming and attractive . . . has dignity, sweep, and grandeur . . . an exhilarating romantic theme."

With Morgan Farley, Ruth Hall, Albert Conti, Dorothy Peterson, Edmund Breese, Richard Carle, Lucille Gleason, Mae Busch, Jimmy Butler. Story by Paul Gangelin. Presented by Carl Laemmle. Directed by VICTOR SCHERTZINGER.

A B. F. Zeidman Production.

BELOVED



GLORIA
TUART

STEP OUT WITH UNIVERSAL

Names from Which Boards Will Be Picked

(*Continued from page 1*)

William H. Erbb, Edward J. Farrell, Edward M. Fay, Martha W. Ferris, John J. Ford, George A. Giles, M. M. Jeffrey, Joseph M. Levenson, Max L. Levenson, Walter B. Littlefield, Francis J. Lydon, Thomas J. Meehan, Maxwell G. Mellincoff, Victor J. Morris, Martin J. Mullin, J. J. McGuiness, Tim O'Toole, Franklin F. Plimpton, George E. Ramsdell, Herman Rifkin, A. D. Rudenstein, Philip Smith, Ralph Snyder, Al Somerby, Harold Stoneman, Stanley Summer, Martin Tuohey, Maurice N. Wolf, Nathan Yamins.

Buffalo—Emma C. Abplanalp, Nicholas J. Basil, Jack L. Berkowitz, Phil Cadoret, W. H. Cadoret, M. E. Comerford, Dr. Peter C. Cornell, Ralph Crabill, Nikitas D. Dipson, Harry T. Dixon, Albert A. Fenyvessy, Chester Fenyvessy, Milton Guggenheimer, Thomas J. Hanrahan, A. Charles Hayman, James W. Holden, Byron Inderbitzen, G. N. King, Ned Kornblike, Stanley Kozenowski, R. P. Merriman, Jules H. Michael, Dave Miller, Vincent R. McFaul, John Osborne, E. K. O'Shea, Erwin Price, Sol Raives, John Reed, J. A. Reid, Kenneth G. Robinson, Sydney Samson, Willis Sargent, Henry Seilheimer, J. Meyer Schine, Leon Shafer, E. William Tiskoff.

Charlotte—Samuel W. Craver, H. H. Everett, Ira Furman, J. J. Grady, Murphy Gregg, Mrs. Walter Griffith, E. L. Hearne, M. S. Hill, R. J. Ingram, H. F. Kincey, J. F. Kirby, T. A. Little, Charles W. Picquet, Mrs. Kenneth Richardson, J. E. Simpson, L. C. Sipe, Albert Sottille, Mrs. Marian Wrenn.

J. E. Everett whose name is on file at Code Authority from Charlotte is unknown to film men in that city and surrounding territory.

Chicago—Emma C. Abplanalp, Ben Bartelstein, James Coston, Andrew Cuser, John Dittman, Phil Dunas, Henri Ellman, Harry Foster, James Fushanes, J. Goldberg, Edward Grossman, E. W. Haferkamp, Henry Herbel, Walter Immerman, John J. Jones, B. N. Judell, Verne Langdon, Benjamin Lasker, I. W. Mandel, Alex Manta, Felix Mendelsohn, Jack Miller, Jack Osserman, Mrs. Florence Paley, Charles Regan, Lou Reinheimer, Jack Rose, Jules Rubens, M. Rubin, Aaron Saperstein, S. Schlaes, S. H. Selig, Edwin Silverman, Simon Simansky, Nathan Wolf, V. U. Young.

Cincinnati—Harold Bernstein, William Chesborough, Charles Fine, W. A. Finney, Andy Hettesheimer, Frank W. Huss, Jr., Stanley Jacques, William Keyes, H. O. Krent, Paul Krieger, S. D. Lee, I. Libson, Sam Lind, R. E. Meyers, Allen Moritz, Floyd D. Morrow, J. Real Neth, William Onie, J. Meyer Schine, Elmer Shard, Willis Vance, Maurice White.

Prof. E. V. Hollis whose name is on file at Code Authority from Cincinnati is unknown to film men in that city and surrounding territory.

Cleveland—A. J. Constant, H. C. Bissell, Charles Burton, F. D. Drew, P. E. Essick, M. S. Fines, E. C. Flanigon, A. M. Goodman, Henry Greenberger, Herb Greenblatt, Frank Gross, Paul Gusdanovic, J. Himmelein, Nat Holt, M. B. Horowitz, John D. Kalafat, Maurice Kaplan, John Kumler, Nat Lefton, Mrs. Georgia Moffett, M. A. Mooney, Dan Robins, J. Meyer Schine, I. J. Schmertz, Julius Schwartz, Martin G. Smith, Jerry Steele, Nat Wolf.

Columbus—Max Stearn.

Dallas—I. B. Adelman, Eph Charninsky, H. H. Cluck, Don C. Douglas, O. A. Englehrecht, Claude Ezell, Rubin Frels, S. G. Howell, P. K. Johnson, B. Legg, Leon Lewis, A. W. Lilly, Leamon Marshall, Bob McIllheran, R. J. O'Donnell, Laura Roberts, Raymond Willie, Edward Rowley, Paul Scott, L. C. Tidball, William Shields, W. G. Underwood, Roy L. Walker.

Denver—Joe H. Ashby, Wayne Ball, Earl Bell, Duke W. Dunbar, Burns Ellison, L. J. Finske, Henry A. Friedel, H. A. Goodridge, Louis Hellborn, P. H. Hoppen, H. E. Huffman, James R. Keitz, Earl Kerr, Jack Langan, Harry Marcus, J. H. Morrison, Rick Ricketson, Ed Schulte.

Des Moines—John Anderson, W. E. Banford, Tom Brown, Ralph Branton, Hale Cavanagh, Jake Cohen, R. M. Copeland, A. J. Diebold, Wayne Dutton, E. D. Ellsworth, Abe Frankel, Grace Gannon, Julius Geertz, Harry Hiersteiner, Joe Levy, Wesley Mansfield, Lester F. Martin, Verne McLucas, Leone Matthews, S. J. Mayer, G. L. Niles, Louis Patz, F. R. Puffer, N. C. Rice, Frank D. Rubel, Don Thornley, E. J. Tilton, Joe Weaver, George Wiegman, H. M. Weinberg, Leo Wolcott.

Detroit—Priscilla Ackerman, E. C. Beatty, C. R. Beecher, Otto W. Bolle, Ray Branch, Sam Brown, Harvey Campbell, S. K. Decker, Fred DeLodder, Joe Dennison, J. E. Flynn, William Hurlhut, David Idzal, E. S. Kinney, Ed Kirchner, Charles Komer, William London, Audrey Littell, Lester Matt, W. S. McLaren, Louise Miller, James Minter, Fred North, Robert Peltier, James C. Ritter, J. L. Saxe, Alex Schreiber, Sam Seplowin, Carl H. Shalit, P. M. Sprott, Harlan Starr, Lester Sturm, Roy Taylor, Dow Thompson, George W. Trendle, George Wilbur, Lew Wisper, Henry Zapp.

Indianapolis—R. R. Bair, Arthur Bennett, Ace Berry, W. J. Bradley, Henry Burton, Frank Carey, Kenneth Collins, Earl Cunningham, Walter Easley, Oscar Fine, Jack Flex, James Fushaneas, Ross Garver, L. B. Goulden, J. Goldberg, I. M. Halperin, Roy Harrold, George Heliotes, Arthur Howard, Marian M. Hull, Helen Keeler, Alex Manta, M. Marcus, Harry Markun, Louis Markun, L. W. Marriott, M. Mazur, Ernest Miller, Sam W. Neall, Charles Olson, Maurice Rubin, F. B. Saunders, Robert Scherer, Morty Solomon, H. P. Vonderschmitt, U. V. Young, A. C. Zaring.

Kansas City—Mrs. A. Baier, A. F. Baker, George Baker, William Benjamin, Earl Blackman, Arthur Cole, Ed Dubinsky, F. C. Hensler, W. J. Kubitzki, Lawrence Lehman, Harry McClure, John McManus, C. L. McVey, Jay Means, June Medcalf, Fred Meyn, Elmer Rhoden, Roy Roberts, Clarence Schultz, Ward Scott, Harry Taylor, T. R. Thompson, William Truog, William Warner, E. E. Webber, Ray M. Wilson, Robert Withers.

Robert V. Machbank whose name is on file at Code Authority from Kansas City is unknown to film men in that city and surrounding territory.

Little Rock—James Augustine, J. M. Ensor, L. F. Haven, R. V. McGinnis, W. M. McGinnis, W. M. Reeves, James Rogers, T. W. Sharp, W. E. Sipe.

Los Angeles—Harry C. Arthur, Sr., Milton B. Arthur, Ben Berinstein, George Bromley, Lester J. Fountain, Robert Gumbiner, Lou Halper, George Hanes, Harry Hicks, Joe Leo, Lou Metzger, Jake Milstein, Al J. O'Keefe, Carrol Peacock, Ray Peterson, Floyd Rice, John Redmond, William Riter, Russell Rogers, Arnold Schaak, H. J. Siler, Howard Stubbins, Jack Sullivan, Hobart Swan, Robert D. Whitson, W. W. Wimquist.

Memphis—Jack Arnold, Page Baker, T. A. Ballas, Harry Cohan, Cecil Cupp, John Eaton, W. B. Fulton, L. F. Haven, M. A. Lightman, Jimmy Rogers, Bill Ruffin, T. W. Sharp, W. E. Sipe, A. J. Suzore, W. S. Tyson, Cecil Vogel, Howard Waugh, J. F. Willingham, Paul Wilson, T. W. Young, Paul Zerilla.

Milwaukee—John P. Adler, W. L. Ainsworth, R. J. Baldwin, B. K. Fischer, George Fischer, H. J. Fitzgerald, J. G. Frackman, J. S. Grauman, R. S. Guiterman, A. C. Gutenberg, John Honthaner, Ben Koenig, A. D. Kvool, George L. Levine, F. J. McWilliams, Ed Maertz, Fred S. Meyer, J. E. O'Toole, Harry Perlewitz, Thomas E. Saxe, A. N. Schmitz, Sam Shurman, W. Silcock, R. T. Smith, Martin Thomas, L. F. Thurwachter, C. W. Trampe, Charles Washicheck, W. E. Weinshenker, D. E. Weshner, Jack Yeo.

Minneapolis—Al Anson, Bennie Berger, Sidney Blackmore, Leo Blank, Ben Blotcky, Frank C. Buckley, Mabel M. Dietz, Everett Dilley, James Donahue, W. R. Frank, John J. Friedl, Joseph Friedman, William Glaser, L. E. Goldhammer, Henry Greene, Fred V. Holzapfel, A. A. Kaplan, O. A. Lee, Jack Lorentz, Frank Manske, H. O. Mugridge, Roy McMinn, Gilbert Nathanson, C. O. Roeder, Eddie Ruben, L. Rubenstein, Al Steffes, J. Stern, Frank Woskie.

New Haven—Leo Bonoff, William J. Brennan, R. W. Cobe, George Cruzen, Jack Fishman, B. E. Hoffman, I. J. Hoffman, Morris Jacobson, Adolph Johnson, Martin Kelleher, Edward G. Levy, Arthur Lockwood, Albert Pickus, Leo Ricci, Louis M. Sagal, J. L. Shulman, Prof. Wesley A. Sturges, Kathryn T. Sullivan, Samuel Weiss.

New Orleans—Joseph Akins, J. Alsino, J. Barcelona, Maurice F. Barr, C. J. Briant, J. J. Brown, L. S. Conner, J. Dicharry, Houston Duvall, G. R. Frank, George Fuller, F. S. Goodrow, I. J. Harrelson, Mrs. J. B. Heinie, Miss E. Junqua, Bertrand Kiern, Henry Lazarus, Harry McLeod, E. V. Richards, W. J. Salles, Leo Seichschnaydre, W. S. Shields, Rodney Toups.

New York—Arthur Abeles, Leo Abrams, Harry C. Arthur, Jr., Jack Bellman, Louis F. Blumenthal, L. Bolognino, Harry Brandt, Leo Brecher, Maurice Brown, Julius Charnow, Irving Dollinger, Fred W. Faulkner, Harry Friedman, J. Louis Geller, Reuben L. Haas, Jack Hattem, Harry K. Hecht, Leo Justin, J. C. Kroesen, William A. Landau, David M. Loew, Arthur L. Mayer, Charles Moses, C. C. Moskowitz, F. Thomas Murray, Lee Newbury, Lee A. Ochs, Harry Pear, Hyman Rachmil, Walter Reade, Sam Rinzler, Leon Rosenblatt, I. A. Roth, Edward Rugoff, Sidney E. Samuelson, Rudolph Sanders, Sol Saphire, Edward Schnitzer, A. H. Schwartz, William Scully, Joseph Seider, Harry Shiffman, Lillian Silver, George Skouras, Fred Small, William Small, David Snaper, Charles Steiner, Jack Steinman, Harry Thomas, Thomas J. Valentino, Joseph Vergesslich, Robert Wolff, Harmon Yaffa.

Oklahoma City—H. J. Buchanan, Sam Caporal, R. M. Clark, Sol Davis, Orville Enloe, P. R. Isley, E. G. Kadane, M. Lowenstein, A. B. Momand, W. P. Morgan, Pat McGee, R. I. Payne, Fred Pickrel, L. F. Stocker, Ralph Talbot, Charles R. Zears, W. B. Zoellner.

Omaha—Morgan C. Ames, A. M. Avery, Calvin Bard, G. Ralph Branton, Thomas Burke, H. J. Chapman, Walter Creal, Nathan Dax, Harry Day, Sam Epstein, Ray Felker, August Herman, B. B. Holdridge, H. F. Kennedy, Richard Koch, I. N. Kuhl, Paul L. Martin, A. Mendenhall, Regina Molseed, George Monroe, Jr., George Monroe, Sr., Henry Monsky, D. V. McLucas, G. F. Nye, C. M. Parkhurst, A. W. Person, Charles Prokop, Gordon Ruth, Mort Singer, Will Singer, M. L. Stern, H. A. Taylor, W. W. Troxell, Harry Weinberg, C. E. Williams.

Philadelphia—George P. Aarons, David Barrist, Al Blofson, Harry Bodkin, A. R. Boyd, M. B. Comerford, A. J. DiFiori, Herbert J. Elliott, Jay Emanuel, George Gravenstine, Jack Greenberg, Reese B. Harrington, William Heenan, M. S. Landow, Mortimer P. Lewis, Robert Lynch, Robert Mochrie, Oscar Neufeld, Michael J. O'Toole, Lewen Pizor, Milton Rogasner, Leon Schlesinger, Charles Segall, Philip Sterling, Earle W. Sweigert, Morris Wax, Joe Willing.

Pittsburgh—James H. Alexander, Mike J. Cullen, William D. Davis, Emmaline Fineberg, Harry Fleishman, Harry Goldstein, John H. Harris, Senator Frank Harris, Dr. C. E. Herman, Harry M. Kalmine, Robert F. Klingensmith, Lew Lefton, Arthur Levy, William Lipsie, John J. Maloney, Carl R. Mapel, Alex S. Moore, G. C. Parsons, George H. Sallows, A. H. Schnitzer, Joseph S. Skirball, B. M. Stearn.

The following names on file at Code Authority from Pittsburgh are unknown in that city and surrounding territory:

A. M. Bowles, Aaron Goldburg, R. V. Harvey, J. Horvitz, Barney Rose, and Morgan A. Walsh. Bowles, Rose and Walsh are well known in San Francisco.

Portland, Me.—Howard Duffy, Wm. Freiday, M. J. Garrity, J. T. Howard.

Portland, Ore.—Harry Aiken, George Appleby, William Cutts, Ruth Doyle, C. J. Farnes, Ted Gamble, Homer Gill, John Hamrick, George Jackson, Howard Mapes, Oscar Phelps, Andrew Saso, Oscar Seltzer, Ray Stumbo, Bob White.

St. Louis—Ben Cammack, Lon Cox, Albert Critchlow, George Eigel, Lou Elman, Cullen S. Espy, Harold W. Evens, Steven Farrar, Joseph Garrison, Charles Goldman, Harry Greenman, C. D. Hill, Leto J. Hill, H. H. Horman, W. E. Horsefield, Clarence Kaiman, Leo F. Keiler, Oscar Lehr, C. T. Lynch, Dave Nelson, S. E. Pirtle, Mrs. Grace Rodgers, Barney Rosenthal, Lila B. Schofield, M. Schweitzer, Nat E. Steinberg, Francis R. Stout, George Tyson, Fred Wehrenberg.

Salt Lake City—Harry David, Charles Epperson, John Gillette, William F. Gordon, Ray Hendry, Robert Hill, C. E. Huish, Joseph Lawrence, Stan Robbins, Maurice Saffle, Irving Schlank, Charles Walker.

San Francisco—Irving C. Ackerman, George Ballentine, A. M. Bowles, Charles A. Caballero, Herman Cohen, Claire Foley, Rowena Foley, Morris Gallos, Aaron Goldberg, Henry Goldenberg, H. V. Harvey, R. Harvey, Mel Hulling, Bruce Johnson, George M. Mann, M. L. Markowitz, R. A. McNeil, George Nasser, G. C. Parsons, Barney Rose, Floyd St. John, L. E. Tillman, Morgan A. Walsh, Cliff Work.

Seattle—Paul Aust, Harry Black, Hugh Bruen, John Danz, Neal East, George Endert, Albert Finkelstein, John Hamrick, A. H. Huot, Leroy Johnson, Ed Lamb, L. O. Lukan, Roberta B. Lynch, L. J. McGinley, Al Oxtoby, Al Rosenberg, L. N. Walton.

Tampa—A. C. Bromberg, L. D. Joel, M. C. Moore, Ben Stein, Mitchel Wolfson.

Washington—Carter Barron, Sam Bendheim, Jr., Rudolph Berger, Herman Blum, Harry S. Brown, A. J. Brylawski, Max Cluster, Jerome Cohan, Walter J. Coulter, J. B. Dashiel, Samuel J. Flax, Sam Galanty, Louis J. Garman, George Gill, Thomas D. Goldberg, Herman H. Hable, William P. Herbst, William Hicks, John H. Hiser, Harry Hunter, Robert Kanter, A. E. Lichtman, Sidney B. Lust, Hardie Meakin, Philip Miller, Walter Pacy, J. J. Payette, E. A. Plummer, Isadore M. Rappaport, J. Louis Rome, Louis J. Schneider, Carl Schwarz, W. J. Silverberg, Robert Smeltzer, Samuel Soltz, Samuel Wheeler, William S. Wilder.

Allied Seeks Borah's Help In Code Fight

(*Continued from page 1*)

industry to defeat the remedial m ures not involving change in law.

"That body," read the telegr "dominated by major producers quires that independents file unqu fied assents to the code as a condi to participation in any degree ther thereby waiving all rights and appr ing in advance everything this C Authority may do.

"We have filed suit to test t right to do this and are advised fense of the proceeding will handled by the NRA, thus makin appear we are opposing the gov ment."

The telegram also charged ma producers with violating code visions against forcing of shorts "protecting themselves by stam on the contract that the exhibitor agreed to purchase excess num and requiring exhibitors to initial clause." This was cited, the b said, to show how large units can do exact agreements and wai "which will preclude independ from contesting monopolistic prac before boards."

The telegram concluded with thi

"We greatly deplore that eff to enlist the interest of General C sel (of the NRA) Richberg eli only a condescending and evasive ter from a subordinate attorney."

Northwest Allied Withholds Assen

MINNEAPOLIS, Jan. 31. — A Theatre Owners of the North yesterday went on record as opp to signing the code without quali tions, and two members who hav ready sent in assents without r vations have sent letters to the Authority asking to have them scinded, it was stated followin meeting held with W. A. Steffes siding. Approximately 137 mem attended and were informed of details of the Allied sponsored gress Theatre, Newark, suit ag the authority, and also of the e sion to Feb. 28 granted by Hug Johnson as the new deadline for sents.

Executive Secretary John C. last night stated he had not yet ceived the two notices of withdr and that when he did he would mit them to J. Robert Rubin, Na Yamins and Ed Kuykendall, the mittee on assents, for disposition

Budd Rogers on Tri

Budd Rogers, general sales m ger for Liberty Pictures, leaves day on a three weeks' tour of west, middle west and south in nection with his new national dis ution plan.

Rogers hopes to have his dist tion setup completed within the 60 days, he says. While on the he will also close deals for Li product.

870 Listed by Authority for Code Boards

(Continued from page 1)

ity and the results today are the first ficial list of proper spellings.

In instances where this publication s found duplications after returns om correspondents poured in, such plications have whittled the author- 's total of 930 by 60, thus bringing e exact summation down to 870.

According to a check by cities, New ork leads the country with 54 rec- mmendations. Next comes Detroit th 38, and tied for third place are ashington, Buffalo and Indiana with each. Boston and Chicago each d a total of 36 and Atlanta and maha were represented with 35 each.

In accordance with provisions of the de, clearance and zoning boards will nsist of two distributors, one with eatre affiliations and the second ithout: two first run theatre repre- ntatives, one affiliated if there be e, and the other unaffiliated; two ibsequent run unaffiliated exhibitors; id one person not connected with the siness in any way.

Local grievance boards will com- ise two distributors, one with the- re associations and the other with- it; two exhibitors, one an affiliated id the other unaffiliated; and one erson not identified with the industry any financial or other capacity.

Some Groups Await Action

Setups for Cleveland, Chicago, De- oit and Boston zones have not yet een determined, but are expected to e tentatively selected at a special eeting a week from today. Secre- aries for all boards will be chosen y the authority from a list of special uggestions from members of the oards approved on Feb. 9. In some pots two secretaries may be chosen, ne for the clearance and zoning and ne other for the grievance board. This ill be done only in key cities where he work of two boards cannot be andled by one individual. New ork, Chicago and Los Angeles loom s two-secretarial points and would oost the 352 appointments to 355 or ore.

Because Tampa, Florida; Little ock, Ark., and Portland, Me., are ot selling centers, suggestions from hese points have been combined with hose of Atlanta, Memphis and Bos- on, respectively. With selections from he distributing zones totaled with hose of their respective sales districts, tlanta increases its number to 40; lemphis to 30, and Boston to 40, hich in actuality automatically shunts tlanta and Boston to second place in he numerical listing schedule.

The tabulations, from the official re- ease by the Code Authority, broken own by MOTION PICTURE DAILY, and hecked by its nation-wide corps of orrespondents, show this:

City	Nominees
Albany	25
Atlanta	35
Boston	36
Buffalo	37
Charlotte	18
Chicago	36
Cincinnati	22
Cleveland	28
Columbus	1
Dallas	25
Denver	18
Des Moines	31
Detroit	38
Indianapolis	37
Kansas City	27
Little Rock	9
Los Angeles	26
Memphis	21
Milwaukee	31
Minneapolis	29
New Haven	19
New Orleans	23
New York	54
Oklahoma City	17
Omaha	35
Philadelphia	27
Pittsburgh	22
Portland, Me.	4
Portland, Ore.	15
St. Louis	29
Salt Lake City	12
San Francisco	24
Seattle	17
Tampa	5
Washington	37
TOTAL	870

Kohn O.K.'s Partners; Para. Tags on Creditors' Films

(Continued from page 1)

cans shipped from the studio bear a label proclaiming their contents to be "Property of Film Productions Corp."

This was the highlight of three hours of testimony given yesterday by Walter B. Cokell, former assistant treasurer of Paramount Publix and now a director of subsidiary companies, at a creditors' examination before Referee Henry K. Davis. Cokell kept a diary of his daily business activities and yesterday read his brief entries covering a period of approximately one year prior to the Paramount Publix receivership. Despite the diary, however, the witness was able to elaborate very little on the meagre entries which were read into the record, examples of which follow:

"Jan. 4. 1933. Discussed Kohn's new duties with Hertz."

"Jan. 5. Discussed passes and relatives with Hertz."

Cokell Explains Entry

Under questioning by Samuel Isseks, of counsel for the Paramount Publix trustees, Cokell explained the latter entry by relating that John Hertz, former chairman of the finance committee, had asked that a thorough check-up be made on passes issued for Publix theatres and on relatives of ranking executives in the employ of the company. Cokell testified that he prepared lists of both and submitted them to Hertz. The latter testified while on the stand several months ago that his check-up of relatives in the company employ resulted in the dismissal of several and the reduction of salaries paid to others.

Other entries in Cokell's diary briefly discussed at the examination involved the status of Paramount employes' stock purchase plan and the advisability of replacing it with a profit sharing plan similar to that in operation among employes of General Motors. The results of salary cuts, discussed with Hertz, also figured in the testimony.

The examination was halted in the midst of Cokell's recollections of the Film Productions transaction, to be resumed Feb. 6. Paramount Publix trustees have instituted an action to have the $13,200,000 bank transaction set aside on the grounds that pledging of the uncompleted negatives constituted a preference for the banks.

(Continued from page 1)

with Paramount theatre operators in Atlanta, Dallas, Chicago and a visit at the Paramount studios.

"I am more convinced every day that we are on the right track as to costs and results under decentralized operation," Kohn said. "Partners in the field share our enthusiasm and we're all pretty certain that we're going somewhere this year."

Kohn said that theatre business throughout the south was showing constant improvement, but added that further progress is hoped for. He commended Emanuel Cohen and the studio on forthcoming product screened for him in Hollywood, mentioning in particular "Strange Holiday," made from the stage play, and "Death Takes a Holiday," which he predicted would be an outstanding box-office picture.

Meetings of operating partners to elect additional members of the Paramount national theatre advisory committee will be called within the next two weeks at Omaha and Chicago, Kohn said, and a third will be held in Boston subsequently. Three members of the committee of six have already been elected. They are: N. L. Nathanson, Canada; E. V. Richards, South, and Karl Hoblitzelle, Southwest.

Deny Blank Seeking Para. K. C. Houses

Kansas City reports that A. H. Blank was negotiating with Paramount for the Newman and Royal there, as well as other Paramount houses in the Middle West, were denied yesterday by Ralph A. Kohn, Paramount theatre department head.

"I know nothing about such negotiations," Kohn said, "and if they were in progress I would necessarily be aware of them."

Board Secretaries Await Close Study

Recommendations for secretarial posts in the 32 key centers will be investigated before the Code Authority approves selections for the various boards. Each of the clearance and zoning and grievance boards is expected to send in a list of candidates who will handle detail work in the boards and all names will be subject to thorough scrutiny before approval.

This research work is expected to delay appointments of the secretaries at least two weeks after the boards are set up. The plan is to get as much comment and criticism from the field as possible so there will be no kickbacks after these men and women take office.

It is likely a number of secretaries now working for Film Boards of Trade will be named to some of the posts. It is felt their experience will aid considerably in expediting the work to come.

Postpone Allied Meet

Due to illness, Sidney Samuelson and Abram F. Myers have called off a meeting scheduled in New York this week to select six regional advisors in the new expansion program. Instead, the session will be held next week.

Administrator Tells Dangers Of Censorship

(Continued from page 1)

ing Bureau, the Hays office system of passing on stories and advertising stills, and the way Mrs. Winters handles and reports to the Federation of Women's Clubs.

"Startling" and "constructive" were two of the words he used in describing what he found. He also said he had not realized so many departments could function for the best interests of the industry and the elevation of moral standards of pictures, particularly at this time when reform movements are picking on pictures.

Sees Need of Closer Tie

Securing closer association between producers and principal public bodies toward a higher moral standard is of vital importance to the execution of any code and to the welfare of the industry, he said. All involved in the industry should give this the utmost attention, he asserted, because only three weeks ago a leading national religious organization had gone on record in favor of an attack on immoral pictures.

"Nowhere have I encountered so many people diversified in their interests cooperating on one objective— the making of pictures—who at the same time are eagerly striving to better conditions in their industry. They have come to me willingly with their problems and have laid their cards on the table," he stated.

"The code is a most flexible document," he went on, "and if evidence is presented to show certain clauses impracticable, these can be changed. The picture industry is no different from other industries, where some want to do wrong and others want to do right. The majority wanting to do right will govern."

Speaking for the benefit of press agents, he said it was the only craft not taken care of in the code with minimum wages, because "press agents can take care of themselves."

Flinn Adopts Code Markings for Mail

The Code Authority has become codified and now operates under a system of its own. Whenever Executive Secretary John C. Flinn sends out letters, he refers to them in terms of A, B, C, D and E.

The A form is a missive sent out with the 20,000 assents.

B is a letter mailed back to exhibitors who have sent in qualified compliances, notifying them of the clause in the form which prohibits reservations.

C is an acknowledgment of complaints received for the local grievance boards.

D is an answer to exhibitors' requests for copies of code and it tells them to send five cents to the NRA in Washington for code pamphlets.

E is a special letter sent to producers with assent forms.

According to the authority, about 400 letters are answered daily and the average amount of mail received approximates 1,000 pieces daily.

Johnson Calls for State Enforcement

WASHINGTON, Jan. 31.—Success of the NRA depends upon enforcement of compliance with codes, declared Administrator Hugh S. Johnson in an address today to a gathering of state directors.

It was the first of a four-day session to instruct directors in their duties. Frank C. Walker, director of the Emergency Council, told them they would be held responsible for success of the NRA.

The directors were told to set up information offices in each state so the public could become familiar with the NRA machinery.

"The crux of the recovery program is to administer the emergency efforts so that the pump of business will be primed to bring forth a full stream of employment and purchasing power. The Government is doing the priming, but business must keep up the pumping."

Vaude Actor Ideas On Code Are Heard

Suggestions for revision in the film code on the vaudeville actor labor situation were heard yesterday by the committee appointed recently by R. H. Cochrane. The session lasted all afternoon at the Astor. Executive Secretary John C. Flinn will call a meeting of the committee some time next week to act and prepare a report for the next session of the Code Authority on Feb. 9.

New Fox Met Setup Will Come Up Soon

(*Continued from page* 1)

the receivership report before Judge Julian W. Mack in the U. S. District Court on Feb. 15. The present six months' term of Simon Fabian and Irving Trust Co., co-receivers, expires Feb. 18.

Under the reorganization set up, it is expected that George Skouras will continue operation of his present group of houses. Louis Frisch and Sam Rinzler, head of Randforce, will most likely continue management of the Brooklyn circuit.

May Robson May Tour

May Robson may make personal appearances at Loew theatres in Baltimore and Washington following her week's engagement at the Capitol, where she opens tomorrow. The extra two weeks' time depends on whether she is needed at the M-G-M studio for a picture.

Louis Cohen in Denver

DENVER, Jan. 31.—Louis Cohen, realty head for the F. & M. circuit, is here working on a deal and returns shortly to Los Angeles to finish details of negotiations with FWC, which is scheduled to turn over about six houses to Mike Marco's circuit.

Du World Moves Office

Du World Pictures, Inc., recently formed by Archie Mayers and Irwin Shapiro, went into office moving last night and this morning are located in larger quarters on the 17th floor of the Godfrey Bldg.

Looking 'Em Over

"Catherine, the Great"

(London Films - United Artists)

Emphatically registering again the strides forward which British production is taking comes "Catherine, the Great" as an interesting and worthy successor to "The Private Life of Henry VIII," along different lines.

Rich in production investiture, boasting lighting and photography and lavishness in set construction which fasten attention on the improvement in British picture-making technique, "Catherine" goes beyond both in story content and in performance by an excellent cast in which principals include Elizabeth Bergner as the empress; Douglas Fairbanks, Jr., as the Grand Duke and, later, the emperor; Gerald Du Maurier as Fairbanks' man Friday.

The narrative deals with the dying days in the decadent reign of Elizabeth; the madness which tinges Fairbanks. the arrival at St. Petersburg of the German princess who subsequently marries him to eventually become the empress; court intrigue, political footballery and machinations and the cruelty of 18th century czarism; the emergence of Catherine from the shrinking, half-frightened girl to a woman of will and power and the ultimate overthrow of her husband, thereby leading to her ascension to the throne in her own right.

The Catherine whom Miss Bergner is called upon to play is a whitewashed Catherine. The lovers and the $60,000,000 which history records she spent on her amours find no place in this treatment. Yet, despite the decision which ruled it was to be so in this production, the characterization, along its chosen line, is deftly and intelligently drawn by its portrayer. Fairbanks, in a part that permitted the spectacular and the gentle in alternate moods, kicks in with a topnotch show; certainly the best in which this reviewer has seen him, admitting as he does the fact some of the Fairbanks pictures have escaped him.

Direction by Paul Czinner and supervision by Alexander Korda are praiseworthy. Their opening reels are a trifle slow in getting going, but later when the dramatic highlights pile on each other, the picture gains force and impact.

It's an adult job, nicely rounded out and well handled.

KANN

"Hired Wife"

(Pinnacle)

A commonplace production, this, and one that isn't much of a strain on the intelligence or the imagination. Although this may prove a handicap in first runs, it is not likely to be any great obstacle in double-featuring neighborhoods, where familiarity of story does not always mean much.

Weldon Heyburn is made heir to a great fortune on condition that he marry. To fulfill the terms of the will he takes Greta Nissen as his bride with the understanding they are to part in a year upon a financial settlement of $100,000. They remain husband and wife in name only until along comes James Kirkwood, an artist, whose attachment for Miss Nissen stirs Heyburn to jealousy and to a declaration of ardent love. Incidentally, the change in their relationship eliminates from the picture a rival of Miss Nissen.

The acting is average. Other players are Molly O'Day and Jane Winton. The direction of George Melford helps little. The fact the exteriors were shot in Florida is an asset.

"Frontier Marshal," Tuesday's opener at the Mayfair was reviewed by wire from Hollywood on Jan. 5.

"Nana," this morning's opener at the Radio City Music Hall, was covered by wire from Hollywood on Jan. 5.

"Hi Nellie," last night's preview at the Strand, was covered by wire from Hollywood on Jan. 25.

Farnol Sailing

Lynn Farnol and his wife are booked on the *Manhattan* sailing from New York on Feb. 28. Farnol, who is press agent for Samuel Goldwyn, says he's going over to kiss the Blarney Stone, always lucky for press agents.

Gets Ticket Register

Standard Ticket Register Corp. will handle distribution of the new American Silent ticket register, according to George Mead, vice-president and general manager of Standard.

Books Warner Picture

Warners' "The Big Shakedown" has been booked into the Mayfair. It's the second film the company booked away from its own Broadway houses. First is "I've Got Your Number," which opens at the Roxy tomorrow.

John Stone in Mexico

HOLLYWOOD, Jan. 31.—John Stone, producer of Spanish productions for Fox, has left for a month's vacation in Mexico City.

New Saenger Plan Now Nearly Ready

(*Continued from page* 1)

tory to all concerned. Now in view is an agreement to perpetuate the bond issue as is, but with a lowered interest rate and a three or four-year deferment of maturities. With this adjustment Saenger will be in a position to settle approved creditors' claims without disturbing the parent corporation by a sale of its assets to a newly created company.

Attorneys representing Saenger, the Paramount Publix trustees and bondholders are now putting the finishing touches to the reorganization plan making its completion imminent. Discharge of the Saenger bankruptcy will result in normal business operations and status for all Paramount theatres in the south and southwest.

Saenger Realty Has Loss of $18,349.7(

NEW ORLEANS, Jan. 31.—Saenger Realty Corp. shows a net loss from March 2 to Sept. 30, 1933, of $18,349.76 during the receivership of Ernest V. Richards, according to a report just submitted to U. S. District Judge Wayne G. Borah. The operating loss for the period was $13,484.7 and to this was added $4,865 for receivership expenses.

Total income was $233,696.06 and total expenditures were $247,180.8 including $49,630.24 set aside as reserve for loss on bad debts. This leaves the cash balance on hand Sept 30 at $51,335.47.

Saenger Realty Corp. operates the Paramount at Clarksdale, the Saenger at Hattiesburg, and the Saenger at Mobile, the last named under a partnership. The Lyric at Mobile and Strand at Clarksdale are closed.

"Sutter's Gold" on "U's" 1934-35 Lis

Universal has already picked "Sutter's Gold" to feature its 1934-35 line up. Settling other phases of the next season product is one of the reasons for the conference here of Carl Laemmle, Carl Laemmle, Jr., R. H. and P. D. Cochrane, James R. Grainger, Charles B. Paine and Robert Harris.

"Sutter's Gold" is from Blaise Cendrars' novel. George O'Neil is already at work on the script and William Wyler will probably direct.

Meeting Academy Group

HOLLYWOOD, Jan. 31.—Division Administrator Sol A. Rosenblatt meets tomorrow a committee of the Academy of M. P. Arts and Sciences consisting of J. T. Reed, Howard Green, Frank Capra, William Sistrom, Nathaniel Levinson and Lewis Stone.

Miss Griffith Walks

HOLLYWOOD, Jan. 31.—Corinne Griffith staged a walkout at Radio today because she felt Otto Kruger was hogging the picture "Crime Doctor." Karen Morley has replaced her.

Wampas to Pick 'Em

HOLLYWOOD, Jan. 31.—The Wampas are going ahead with their plan to select baby stars. Nominations will be Feb. 13 and voting Feb. 27.

Women' Only Good Grosser On the Coast

Los Angeles, Jan. 31.—Business the skids last week with "Little omen" the only native product approaching normal. It grossed $19,000 its fifth week at the Chinese.

A travelogue, "Angkor," took a rprising $6,400 at the Criterion and uly 14," a French import, reached ,700 at the Filmarte. All the regu- first runs fell off sharply.

Total first run take was $85,615. verage is $105,250.

Estimated takings for the week ding Jan. 24:

"LITTLE WOMEN" (Radio)
CHINESE—(2,500), 50c-$1.65, 5th week, 7 ys. Sid Grauman prologue. Gross: $19,000. verage, $14,000.)

"ANGKOR" (H. W. Warner & Roy Purdon Prod.)
CRITERION—(1.610), 25c-40c, 7 days. ross: $6,400. (Average, $2,800.)

"JULY 14" (Rene Clair)
FILMARTE—(800), 40c-50c, 7 days. ross: $2,700. (Average, $2,650.)

"AS HUSBANDS GO" (Fox)
LOEW'S STATE—(2,413), 25c-40c, 7 days. ross: $9,200. (Average, $14,000.)

SHOULD LADIES BEHAVE" (M-G-M)
PANTAGES—(3,000), 25c-55c, 7 days. age show. Gross: $6,650. (Average, ,000.)

"ALL OF ME" (Para.)
PARAMOUNT—(3,595), 25c-40c, 7 days. age show. Gross: $16,865. (Average, 8,000.)

"LET'S FALL IN LOVE" (Col.)
RKO—(2,700), 25c-40c, 5 days. Gross: ,800. (Average, $8,000.)

"I'M NO ANGEL" (Para.)
UNITED ARTISTS—(2,100), 25c-40c, 7 ys. Gross: $9,000. (Average, $12,800.)

"THE BIG SHAKEDOWN" (F. N.)
WARNER BROS. (HOLLYWOOD)—,000), 25c-40c, 7 days. Gross: $7,000. (Aver- ge, $14,000.)

"THE BIG SHAKEDOWN" (F. N.)
WARNER BROS. (DOWNTOWN)—,400), 25c-40c, 7 days. Gross: $7,000. Average, $12,000.)

'Fugitive," Show Lead Indianapolis

Indianapolis, Jan. 31.—The Palace vith "Fugitive Lovers" on the screen nd the first stage show that house has een in more than five years grossed 9,000, which was the best business in he city. The Indiana's policy of split veek with "House on 56th Street" on or the first four days and "Bedside" or the last three days grossed $3,500. Frontier Marshal" at the Apollo rossed $2,000 and "Let's Fall in ove" at the Circle was just average vith $3,500.

Estimated takings for the week end- ng Jan. 20:

"FRONTIER MARSHAL" (Fox)
APOLLO—(1,100), 20c-40c, 7 days. Gross: 2,000. (Average, $2,500)

"LET'S FALL IN LOVE" (Col.)
CIRCLE—(2,600), 25c-40c, 7 days. Gross: 3,500. (Average, $3,500)

"HOUSE ON 56TH STREET" (Warners) 4 days
"BEDSIDE" (F. N.) 3 days
INDIANA—(3,100), 20c-40c. Gross: $3,500.

"BOMBAY MAIL" (Univ.)
LYRIC—(2,000), 20c-40c, 7 days. Stage how. Gross: $4,500. (Average, $6,000)

"FUGITIVE LOVERS" (M-G-M)
PALACE—(2,800), 25c-55c, 7 days. Cen- ury of Progress Revue. Gross: $9,000.

Gets New Title

"The Family Scandal," reviewed by vire from Hollywood on Jan. 18, is eing released by M-G-M as "This Side of Heaven."

Cantor Leads Pittsburgh, Going $4,000 Above Par

Pittsburgh, Jan. 31.—There were three standouts in town last week, the trio almost entirely assimilating the more than $12,000 by which par was topped. The leader was "Roman Scandals" at the Penn, which copped $16,000, just a little short of the business done here by the last Cantor effort, "The Kid from Spain."

Also a pleasant surprise was "Berkeley Square" at the Fulton where it stayed two extra days and collected $9,200 for the best trade here since "The Private Life of Henry VIII." At the Pitt, the condensed version of "Shuffle Along" and "I Was a Spy" accounted for a remarkable $9,000.

The Davis had "Little Women" as a downtown second run following the picture's two sensational weeks at the Stanley and did satisfactorily, although not up to expectations, at $2,900, while the highly-praised "Counsellor-at-Law" was something of a disappointment at the Stanley at $9,500. "Man's Castle" did very poorly at the Warner, turning in only $4,100.

Unimpressive, too, was the beginning of "Queen Christina's" roadshow engagement at the Nixon, with only $5,000 in its first week.

Total first run grosses were $50,700. Average is $38,500.

Estimated takings for the week ending Jan. 20:

"LITTLE WOMEN" (Radio) (Second Run)
DAVIS—(1,700), 25c-35c, 6 days. **Gross:** $2,900. (Average, $2,500)

"BERKELEY SQUARE" (Fox)
FULTON—(1,750), 15c-35c, 8 days. **Gross:** $9,200. (Average, for six days, $4,000)

"QUEEN CHRISTINA" (M-G-M)
NIXON—(2,100), 55c-$1.60, 11 performances. **Gross:** $5,000

"ROMAN SCANDALS" (U. A.)
PENN—(3,300), 25c-50c, 6 days. **Gross:** $16,000. (Average, $12,000)

"I WAS A SPY" (Fox)
PITT—(1,600), 15c-40c, 6 days. Stage: Condensed "Shuffle Along" with Eubie Blake and his band, Miller and Moreland, the Three Brown Spots and Geneva Washington. **Gross:** $9,000. (Average, $6,000)

"COUNSELLOR AT LAW" (Univ.)
STANLEY—(3,600), 25c-50c, 6 days. **Gross:** $9,500. (Average, $9,000)

"MAN'S CASTLE" (Col.)
WARNER — (2,000), 25c-50c, 6 days. **Gross:** $4,100. (Average, $5,000)

"Rio" Only Strong Draw in Oklahoma

Oklahoma City, Jan. 31.—Business went for a terrible slump here last week. Only two downtown first runs stood up to average.

"Flying Down to Rio" at the Criterion was the only picture in town getting any business. It was up $1,500 with a take of $6,500. "Big Shakedown" and "I Was a Spy" kept the Liberty up to average of $2,000.

The Midwest died with "Massacre," taking only $2,500, under par by $2,500. "The World Changes" gave the Capitol $1,800 which is $700 under.

The suburban Victoria had two first runs last week which doubled its average business of $1,200. "Take a Chance" and "Emperor Jones" brought $2,500. This is unusual for the house which has had few first runs since the midwest reopening in November.

Total first run take was $12,800. Average is $14,500.

Estimated takings for the week ending Jan. 20:

"FLYING DOWN TO RIO" (Radio)
CRITERION—(1,700), 10c-20c-26c-36c-41c-56c, 7 days. **Gross:** $6,500. (Average, $5,000)

"THE BIG SHAKEDOWN" (F. N.)
LIBERTY—(1,500), 10c-15c-26c-36c, 4 days. **Gross:** $1,100. (Average week, $2,000)

"I WAS A SPY" (Fox)
LIBERTY—(1,500), 10c-15c-26c-36c, 3 days. **Gross:** $900. Average week, $2,000)

"MASSACRE" (F. N.)
MIDWEST — (1,500), 10c-26c-36c-56c, 7 days. **Gross:** $2,500. (Average, $5,000)

"WORLD CHANGES" (F. N.)
CAPITOL — (1,200), 10c-20c-26c-36c-41c, 7 days. **Gross:** $1,800. (Average, $2,500)

Hold Two in Portland

Portland, Jan. 31.—Harry Culbert, manager, and Ruth Riley, cashier, at the Granada have been arrested on grand larceny charges. They are accused of reselling tickets.

RKO Advances H. Green

Providence, Jan. 31.—H. Green has been advanced from assistant manager to manager of the RKO Victory, as successor to H. R. Hughes.

"Castle" and Show Hit in Providence

Providence, Jan. 31.—"A Man's Castle," helped by a much-heralded stage show, "The New Yorkers," boosted the RKO Albee to $12,500 last week. This is one of the best grosses in a long time.

The little RKO Victory came through with a startling $5,000 on "Forgotten Men" and "Pirate Treasure." Fay's reached $7,000 with "Frontier Marshal" and a strong vaudeville bill.

Total first run business was $48,400. Average is $42,300.

Estimated takings for the week ending Jan. 25:

"MISS FANE'S BABY IS STOLEN" (Para.)
"HE COULDN'T TAKE IT" (Monogram)
PARAMOUNT—(2,300), 15c-40c, 7 days. **Gross:** $5,800. (Average, $6,500)

"FORGOTTEN MEN" (Jewel)
"PRIVATE TREASURE" (Univ.)
RKO VICTORY—(1,600), 15c-35c, 7 days. **Gross:** $5,000. (Average, $2,800)

"GALLANT LADY" (U. A.)
LOEW'S STATE—(3,800), 15c-40c, 7 days. Enrico and Novello heading stage show. **Gross:** $11,900. (Average, $12,000)

"MADAME SPY" (W. B.)
"I AM SUZANNE" (Fox)
MAJESTIC—(2,400), 15c-40c, 7 days. **Gross:** $6,200. (Average, $7,000)

"MAN'S CASTLE" (Col.)
RKO ALBEE—(2,300), 15c-40c, 7 days. "The New Yorkers" on stage. **Gross:** $12,500. (Average, $7,000)

"FRONTIER MARSHAL" (Fox)
FAYS—(1.600), 15c-40c, 7 days. The Raviators, radio comics, on stage. **Gross:** $7,000. (Average, $7,000)

Ruben to Direct Brook

Hollywood, Jan. 31. — J. Walter Ruben has been assigned to direct Clive Brook's next starring vehicle for Radio, "Family Man." Ruben recently finished "Success Story" with Colleen Moore and Douglas Fairbanks, Jr.

Franklin Leases House

Sidney Franklin has leased the Little Theatre on Broad St., Newark, from the Pearl Realty Co.

"Dinner" Is $27,000 Hit On the Loop

Chicago, Jan. 31. — "Dinner at Eight" crashed through with a strong $27,000 in its first week at the B. & K. Oriental for any easy standout as the Loop's best bet. It had previously roadshowed here four weeks at $1.50 top.

Business generally was satisfactory at other spots, the par figure being equaled or passed in practically all houses, although no takes, aside from the Oriental, mounted to any distinguishing totals.

"Roman Scandals" ran four days into a fourth week at the United Artists, finishing up strong. B. & K's. Chicago was down from the $55,000 registered by Mary Pickford last week to $40,000 with "Going Hollywood" on the screen and Will Mahoney heading the stage program.

Total first run business was $134,000. Average is $137,000.

Estimated takings:

Week Ending Jan. 16:
"DINNER AT EIGHT" (M-G-M)
ORIENTAL—(3,940), 30c-40c-60c, 7 days. **Gross:** $27,000. (Average, $23,000)

Week Ending Jan. 18:
"GOING HOLLYWOOD" (M-G-M)
CHICAGO—(4,000), 35c-50c-68c. 7 days. Will Mahoney, Gomez & Winona, Don Carlos & band, June Pursell on stage. **Gross:** $40,000. (Average, $34,600).

"IF I WERE FREE" (Radio)
PALACE — (2,509), 35c-50c-75c, 7 days. Cotton Club revue with Adelaide Hall George Dewey Washington, Mills' Blue Rhythm band on stage. **Gross:** $22,000. (Average, $22,000)

"BY CANDLELIGHT" (Univ.)
McVICKERS—(2,284), 30c-40c-60c, 7 days. **Gross:** $12,000. (Average, $13,000)

"SONS OF THE DESERT" (M-G-M)
ROOSEVELT—(1,591), 25c-35c-50c, 7 days. **Gross:** $8,500. (Average, $11,000)

Week Ending Jan. 20:
"MASTER OF MEN" (Col.)
STATE-LAKE — (2,776), 20c-25c-35c, 7 days. Bob Murphy and vaudeville acts. **Gross:** $16,500. (Average, $17,000)

"ROMAN SCANDALS" (U. A.)
UNITED ARTISTS—(1,700), 30c-40c-60c, 4th week, 7 days. **Gross:** $8,000. (Average, $17,000.)

IATSE Men in K. C. on Favoritism Charge

Kansas City, Mo., Jan. 31.—Investigation of nepotism charges against the I. A. T. S. E. operators' local and of disputes with exhibitors and a checkup on the local since it went on probation brought President William Elliott, Vice-President Nick and international representative Clyde Weston here today. Elliott has called a special meeting of all operators for tomorrow night. The local was placed on probation last summer by him in an effort to end alleged racketeering.

A committee representing independents and Fox conferred with the international officers regarding new contracts. Exhibitors demand relief for Ed Dubinsky and make other demands, including the right to designate booth personnel.

Snell Quits Fox

Hollywood, Jan. 31.—Paul Snell has quit Fox's publicity department and joined M-G-M as successor to Joe Sherman. Joseph Shea is coming here to be Gabe Yorke's assistant. Mel Riddle, assistant to Eddie Eckles at Radio, is going to Fox as unit man.

Woolf-Shanberg to End One Suit Soon

KANSAS CITY, Jan. 31.—Signatures to a settlement of the receivership suit against the Midland Investment Co. will be affixed this week, and the action is expected to be dismissed Friday, when it comes up for hearing in the circuit court here. That announcement is made by attorneys for Herbert M. Woolf, M. B. Shanberg and F. H. Reid, the plaintiffs.

Settlement will mark "finis" to one court action taken by Woolf and Shanberg in deals involving local theatres. The same attorneys say that settlement of the partners' litigation with Fox Midland Theatre Co., reported on the way several months, is now not so certain. While New York attorneys for the large Midland creditors declare the claims of almost $500,000 will be taken care of out of court, there have been several hitches and no definitely acceptable terms have as yet been presented, according to Shanberg's counsel here.

Officials of Loew's, partners with the Kansas City stockholders in the Midland Investment Co., have agreed to declare accumulated dividends and to grant certain other demands made by Shanberg and Woolf in the application for a temporary receiver, it is understood.

Among other allegations, the local stockholders charged Loew's planned to relinquish the large Midland Theatre, which, with the adjacent Midland office building, comprises the properties involved.

Burkey Suit Ended By K.C. Agreement

(*Continued from page* 1)

withdrawn upon payment of a small penalty and court costs by the defendants. In exchange for the cash settlement, Burkey has dropped his motion for a new trial, filed after a Federal court jury last year found there was no conspiracy.

Burkey sued for $136,000 damages. The amount of the settlement was not divulged, but Burkey said it was "around $1,000." Court costs totaled about $500.

Additional suits for smaller amounts against Famous Players-Lasky and Fox were automatically dropped under terms of the settlement.

Distributor defendants were Famous Players-Lasky, Paramount, First National, Fox, M-G-M, Warners, Educational, Tiffany, RKO, Pathe, United Artists, Universal, Vitagraph, and one independent, Midwest Film Distributors.

Kohn Likes Number

***Motion Picture Daily's* recent Studio Number was hailed, by Ralph A. Kohn, Paramount theatre head, as a "very novel idea and something new in trade journalism," on his return yesterday from Hollywood and intermediate points.**

"I read the issue on the train coming back," Kohn said. "There were plenty of laughs in Vic Shapiro's articles for anyone who knows Hollywood."

Variety Club Chatter

PITTSBURGH, Jan. 31.—The boys are still talking about the party in Columbus. Pittsburgh was represented by 41 members including HARRY GOLDSTEIN, JAMES G. BALMER, JOHN J. MALONEY, AL BARNETT, JOHN H. HARRIS, MORTY HENDERSON, JERRY COLLINS, ED STUVE, BERT STEARN, DOCTOR WISE, BILL GARDNER and DR. GARRAHAN—also SENATOR FRANK J. HARRIS, LUKE BARNETT. Columbus will long remember BARNETT.

JIMMY BALMER and J. T. MCGREEVEY of Harris Amusement are "Kings for the Day" at the regular Wednesday luncheon and have as their honor guests RAY BOLGER, JUDGE M. A. MUSMANNO and MAYOR MCNAIR.

MIKE CULLEN of Loew's Penn was laid up last week for a few days with a severe cold, but the entrance of stage shows forced him out of bed.

The grill room was the scene of an anniversary party in honor of MR. and MRS. JOHN H. HARRIS, in celebration of their second wedding anniversary.

J. T. MCGREEVEY of Harris Amusement recently celebrated a birthday, January 26th. (Number of years furnished only on request.)

JOE KAUFMANN of Universal is hanging close to home these days. MRS. KAUFMANN just operated on for appendicitis. Recovering nicely.

EDGAR MOSS of Fox dropped in to say hello. So did MR. HOLLINGSHEAD, the originator of the Drive-In Theatre at Camden, N. J.

EDDIE QUILLAN dropped in en route to New York.

GEORGE O'BRIEN and his wife, MARGUERITE CHURCHILL, were guests en route to California.

JIMMY WALKER, St. Louis Variety Club member, stopped off on his way East.

JERRY MAYHALL was awarded the musical contract for the President's Ball which is considered the plum of the year's society events.

BRIAN MCDONALD leaving his Tent Club for a New York offer and turning management over to BOB ROSUALI and MIKE GALLAGHER.

RAY BOLGER, one of original Variety Club associate members, made the club his headquarters during his stay.

SAM BLEYER of the Leona at Homestead, is a new resident member.

JIM CLARK, of the former Rowland & Clark Co., is a regular visitor.

DETROIT, Jan. 31.—Seven new barkers were elected at the last business session. Those made resident members were SAM SEPLOWIN, WILLIAM HURLBUT, WILLIAM E. SCHUTTENHELM, BERT G. TIGHE and LOUIS J. MITCHELL. RAY BRANCH, president of Allied of Michigan, and JOHN HENRY ROSS, Flint exhibitor, were granted non-resident membership.

OLLIE (Butterfield) BROOKS and MANNY (Universal) GOTTLIEB were the club's first "kings for the day," presenting as the chief speaker on their program MALCOLM W. BINGAY, editorial director of the *Detroit Free Press*.

Barkers DAVE (Fox) IDZAL and NAT (RKO) LEVY will be the "kings" for the Feb. 5 luncheon and will feature on their bill AMOS 'n' ANDY, who will be playing the Fox that week.

Seven barkers attended the Columbus third annual dinner and entertainment and returned high in their praises. They were President J. E. FLYNN, W. G. BISHOP, HAROLD ROBINSON, EDGAR KIRCHNER, LOU WISPER, ALEX SCHREIBER and OLLIE BROOKS.

Every member is working 100 per cent to make the dinner-dance-cabaret to be held in the Book-Cadillac ballroom on Feb. 24 the greatest event ever staged by the Variety Club. PRESIDENT FLYNN has appointed the following committees in charge of the party:

Entertainment: M. M. GOTTLIEB, DAVID IDZAL, J. O. BROOKS, HOWARD PIERCE, RAY CONLIN, MAURICE J. CAPLAN, J. R. HIRSCHFIELD.

Publicity: FRED SCHADER, W. G. BISHOP, PHIL KAPLAN, FRANK SMITH.

Tickets: H. M. RICHEY, CARL H. SHALIT, CARL BUERMELE ALEX SCHREIBER, ARTHUR CAPLAN, FRANK A. WETSMAN, OTTO BOLLE, HAROLD ROBINSON, E. S. KINNEY, HARRIS SILVERBERG, SAM SEPLOWIN, ROGER M. KENNEDY.

House: J. O. BROOKS, WILLIAM A. LONDON, L. H. GARDNER, NAT LEVY, H. M. RICHEY, CARL BUERMELE, ROGER M. KENNEDY, HAROLD MUNZ.

Reservations: FRANK J. DOWNEY, HENRY ZAPP, THOMAS EALAND.

Decorations: W. G. BISHOP, WILLIAM CARLSON, R. HAL BURRISS, RICHARD COHN.

Program: PHIL KAPLAN, FRANK SMITH.

Producer and director of floor show: DAVID M. IDZAL.

CARL SHALIT, treasurer of the club, has left for Florida to spend two weeks at Miami.

Four Fox Players Out

HOLLYWOOD, Jan. 31.—Fox has failed to pick up options on four contract players.

Those dropped are Philip Merivale, Dorothy Lee, whose name the studio changed to Gloria Grant, Marie Ormiston and Dixie Francis.

The option on Marie Trivers writing contract was exercised.

"U" Holds Karl Freund

HOLLYWOOD, Jan. 31.—Universal has exercised its option on the services of Karl Freund as a director and at the same time assigned him to direct "The Man Who Reclaimed His Head." This will follow "Countess of Monte Cristo."

Maryland MPTO to Elect

BALTIMORE, Jan. 31.—Annual election of the M.P.T.O. of Maryland will be held here on March 15, according to Herman A. Blum, president. Nominations for new officers already have been filed, the present slate being renominated.

Dubinsky Row May Go to Arbitration

KANSAS CITY, Jan. 31.—Arbitration may be resorted to in the labor muddle arising from differences between Dubinsky Bros. and operators and stagehands which involve all subsequent houses.

While the unions say the fights are scheduled to be arbitrated, either by the Regional Labor Board or special boards, the exhibitors seem unwilling to submit to this form of mediation. The operators' union has been expecting that the Dubinsky muddle will go before the regional board at St. Louis, which he yesterday defied.

Dubinsky indicates his reason for resisting mediation by the regional arbitrators under the National Labor Board is that it has no authority to enforce its decisions and "either party has the right to turn its rulings down."

Division Administrator Sol A. Rosenblatt has ordered arbitration in a smaller dispute between Dubinsky and the stagehands. This involves Dubinsky's insistence on grouping himself with the suburbans, against the union's claim that, since his two houses are downtown, he comes under the downtown first run scale.

Felix Snow, stagehands' business agent, is seeking to arbitrate that argument on instructions from the I. A. T. S. E. Dubinsky said he wrote Rosenblatt giving him "the true story" and that there will be "no arbitration." It is understood the union will appeal.

Levy to Meet ITOA About Radio Sales

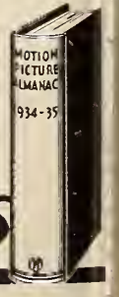
(*Continued from page* 1)

been taking a vacation in Miami, returns late tonight and will preside at tomorrow's session.

About two weeks ago differences between the unit and U. A. were ironed out when Samuel Goldwyn and Al Lichtman conferred with the exhibitors at a general meeting.

Loew on Coast Soon

SAN FRANCISCO, Jan. 31.—Arthur and Mrs. Loew and Joe and Mrs. Vogel are aboard the *President Coolidge* which sailed from Singapore on Monday. The party arrives here Feb. 14 and may visit the M-G-M studios before heading east.

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Civic Leaders Among 100 for Board Places

Commerce Bodies Pick Non-Industry Men

Recommendations are now being received by the Code Authority for the impartial outside representatives to sit in on the 32 clearance and zone and grievance boards. The names are being submitted by Chambers of Commerce in all key cities, the M.P.T.O.A., Allied and other exhibitor organizations of the industry. About 100 already are on file at Authority headquarters with additional suggestions arriving every day. Included in the list received are retired jurists, bank presidents, heads of mercantile firms, railroad execu-

(Continued on page 6)

MPTOA, Allied Both Hold Back Assents

Code assents are being withheld by members of two local units, each for a different reason. The I. T. O. A. has advised its membership not to sign compliance forms until the local labor issue is settled. It is expected that Division Administrator Sol A. Rosenblatt will confer with representatives of the I. T. O. A. and Local 306 and settle the basic wage scale for local operators upon his return from the east. If the two organizations cannot get together at this meeting, it is an-

(Continued on page 6)

Code Assents Total Now Reaches 6,217

Total number of assents received by the Code Authority is now 6,217, in comparison with 4,052 when the authority held its last session on Jan. 23. A number of exhibitor units, including Allied, are withholding assents until later.

Time and Place

Toledo, Feb. 1.—Says the paragrapher on the *Toledo Blade*: "Add Mae West: Moviedom has a new star who goes by the name of June East. It's a small country, after all."

Zukor, In Optimistic Vein, Urges All to Pull Together

Hollywood, Feb. 1.—Optimistic over prospects for the coming year, Adolph Zukor is urging all at the studio to pull together for the welfare of the industry.

A public tendency toward increased spending will eventually tell at the box-office, he says.

"There will be a keener search for high quality entertainment," he says, "and if it is not delivered on the screen the public will seek elsewhere. Every branch of the industry must appreciate its importance all up the line from technicians to producers. Salaries will continue to be paid according to the worth of each."

Zukor will leave for the east on Saturday, but will return some time in April to line up the new program.

No Film Move Looked for in Congress Now

Washington, Feb. 1.—Efforts to secure a Congressional investigation of the film industry are likely to run up against President Roosevelt's expressed desire that Congress confine its activities to major legislation and adjourn as soon as possible.

Independent exhibitors and Allied are pushing the anti-block booking agitation among civic organizations, it is indicated, but there is a considerable sentiment at the Capitol in favor of giving the Code Authority a chance to show what it can do before tinkering

(Continued on page 6)

Academy and Unions Talk To Rosenblatt

Hollywood, Feb. 1.—One of Division Administrator Sol A. Rosenblatt's last conferences before his departure for Washington was with an Academy committee this morning. He expects to have a report ready for Administrator Hugh S. Johnson by March 1, he says.

The Academy committee consisted of T. J. Reed, Howard Green, Frank Capra, William Sistrom, Nathaniel Levinson and Lewis Stone, representing each creative branch.

In the afternoon he went into a

(Continued on page 6)

"U" Maps Lineup; May Jump to Forty

Final plans for the 1934-35 season will be set by Universal on the coast in April, but currently discussed and heading for adoption is a decision placing the total at 40 which would be an increase of four over the current lineup. Preliminary plans are on the fire in New York with both of the Laemmles on native heath at the same time.

First Division to Open Three Offices

First Division is expected to set up branches in New Orleans, Charlotte and Atlanta as the next expansion move. Distribution deals for several pictures have already been made in these cities. They include a 12-episode serial, "Young Eagles," "Road to Ruin," "Eat 'Em Alive," and "He."

The company recently branched out with offices in New Haven and Boston.

Royalty For Talent Seen As New Plan

Rosenblatt May Suggest Percentage of Gross

Hollywood, Feb. 1.—Some sort of a royalty basis for actors, directors and writers may be recommended by Division Administrator Sol A. Rosenblatt.

Delegations from the Actors' and Writers' Guilds have pointed out that this may be the solution to the fair compensation problem. It would incite competition, it is contended, and weed out weak sisters.

Percentages would be based on grosses, with the Government to be asked to appoint auditors for checking returns.

Expect Government Aid for Authority

Washington, Feb. 1.—Members of the Code Authority named in the pending suit brought in New York, centering around the form of acceptance demanded by the authority, will probably be defended by Government counsel when the case is heard.

Officials of the Recovery Administration have stressed their intention of defending code authorities only when they have not overstepped their powers or abused their authority. No code authority will be protected if the

(Continued on page 6)

Aim at Redrafting Vaude Code Terms

Redrafting of the vaudeville section of the code is seen as the aim of a meeting next Tuesday by the committee appointed by R. H. Cochrane to hear complaints of actor interests.

It is expected special machinery will

(Continued on page 6)

French Reported Planning Drive on American Sales

An invasion of the American market by French producers in what would be that industry's most completely organized plan to date is being talked about in inside circles in New York.

Reported to have been proposed by the Chambre Syndicale, trade association most representative of the French business, is a plan for subsidizing a distributing organization in this country on a two-year basis and removal of exchange operations across the

(Continued on page 7)

After the Fox

Harry Charnas is understood to be representing Warners in a deal for acquisition of the Fox Theatre, Brooklyn. Sydney S. Cohn is now operating for the bondholders.

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Deal About Set for Stage Tour by Roxy

Deal between Paramount and Roxy and his gang for stage appearances in eastern and middle western cities totaling 10 weeks is "99 per cent" completed, according to Boris Morros, whose charge is the Paramount, New York and again, beginning today, the Paramount, Brooklyn.

Contracts are ready and slated for signatures when Roxy returns from Miami on Feb. 16. The tour would take him to Boston, Buffalo, Chicago and Detroit, among other key points.

Roxy Married 25 Years

MIAMI, Feb. 1.—S. L. Rothafel and Mrs. Rothafel celebrated their silver wedding anniversary yesterday.

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GEORGE MEAD, General Manager

Insiders' Outlook

THE Paramount Publix reorganization is now hinging on a satisfactory adjustment of leading creditors' claims. In this division three are the standouts. One is Allied Owners, down for $6,000,000; another is Erpi with $2,000,000; third, and looming large, is a $26,000,000 item on company bonds, including indebtedness on the Paramount Building at the world's crossroads. Kuhn, Loeb and other banking firms are on them. These are the largest so far not cleaned up and must be settled before reorganization can proceed further. Paramount officials are frank enough to point out they have no definite idea of how long this will take, opinion varying between two months and beyond. It depends who is doing the talking...

▼

The company's cash position is said to have no particular bearing on reorganization since cash is held by the subsidiary units clear of bankruptcy. Depending on the outcome of the claim adjustments, there are two turns which reorganization may take. Either stands an equal chance of being the ultimate one. The first is a sale of P-P assets to a newly-created company, wholly owned by Paramount, with creditors being paid off in stock of the new as was done in the case of Publix Enterprises. This would not mean necessarily that the P-P name, with millions in institutional advertising and years of plugging behind it, would be lost or dropped in favor of the new outfit since it is well within the range of possibility that the name would be bought up with other assets...

Plan No. 2 would involve the purchase of the claims themselves for cash at so much on the dollar, the basis to be worked out by negotiation. A common method, but frequently not acceptable to creditors since it seldom results in anything beyond a settlement greater than 25 cents on the dollar. Yet, this may be attempted in the instance of large claims such as those pending. The widespread interest in the Paramount case has resulted in a faulty impression in another direction. The company recently was granted a Federal tax refund of $7,250,000 for 1929. This brings no cash into the treasury, involves only an abatement of tax assessments for that year and will be disposed of by a bookkeeping entry on the Department of Internal Revenue's books...

▼

Indicating the potential position of Adolph Zukor in the future of Paramount, now and in its eventually-to-come new guise, are wires sent him by theatre partners during their Dallas and Atlanta meetings. The telegrams commended him as the "greatest fighter and leader" in the industry for his efforts in helping to bring the company back; expressed the greatest confidence in him and pledged cooperation and friendship in present and future dealings. The messages recalled trade predictions of a year or more ago and common enough at the time that Zukor and other veteran Paramount executives would be out of the company for all time; predicted a greater future than ever before. Future meetings are

(*Continued on page 10*)

Loew Sales Lead on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	25⅝	25	25	.....	700
Consolidated Film Industries	4¼	4⅛	4¼	.....	200
Consolidated Film Industries, pfd	13⅞	13⅜	13⅞	+ ⅜	1,300
Eastman Kodak	91	90	90	+ ⅝	1,900
Fox Film "A"	16¼	15½	15⅝	— ¼	3,200
Loew's, Inc.	29½	28⅝	29⅛	+ ⅝	17,200
Loew's, Inc., pfd	85⅜	85⅜	85⅜	+ ⅛	100
Paramount, cts.	3⅛	3	3⅛	+ ⅛	4,000
Pathe Exchange	2¾	2½	2½	.....	5,600
Pathe Exchange "A"	13¾	12¾	13¼	+ ¼	1,000
RKO	3⅛	2⅞	3	.....	7,200
Warner Bros.	7⅛	6¾	7⅛	+ ⅜	8,800

Technicolor Trading Slight on Curb

	High	Low	Close	Net Change	Sales
Technicolor	9¾	9½	9¾	.....	500

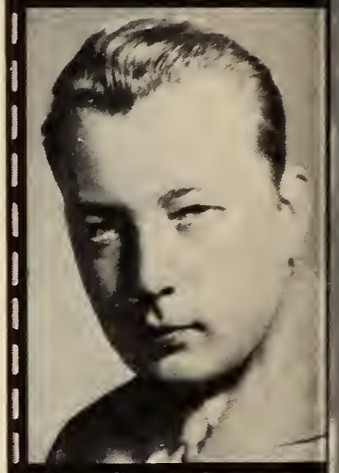
Warner Bros. Lead Bond Sales

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	6½	6	6½	+ ¼	21
General Theatre Equipment 6s '40, ctf	6	6	6	— ⅞	1
Loew's 6s '41, ww deb rights	94⅝	94¼	94¼	+ ⅜	7
Paramount Broadway 5½s '51	36⅛	36⅛	36⅛	— ⅛	1
Paramount F. L. 6s '47	36	36	36	+2	2
Paramount Publix 5½s '50	36½	36¼	36½	.....	17
Warner Bros. 6s '39, wd	55	53¼	53½	+1	67

Spot News from Columbia



Together for the first time! CLARK GABLE and CLAUDETTE COLBERT are co-starred in a grand romance, "It Happened One Night," which Frank Capra has made into one of 1934's ten best.



A great director and great writer, Lewis Milestone and Laurence Stallings—merge their brilliant talents in a kaleidoscope of life and love, "RED SQUARE," now in production.



Elissa Landi, Joseph Schildkraut and Frank Morgan in "Sisters Under The Skin." What a stellar combination and what a story! David Burton directing.

REPORTS OF 3 WARNER HITS FEATURE WEEK'S NEWS



'WHAT A SHOW!' exults *N. Y. American*—'entertains mightily', 'swell', echo *News* and *Mirror* at 'Hi, Nellie' N. Y. premiere as *Variety* reports Paul Muni 'sittin' pretty' in Boston.*



THE ROXY ROCKS with laughter as Blond'ell breaks loose at Broadway premiere of 'I've Got Your Number', first phone-fun film.*



LOOKING AHEAD to early release of 'Gambling Lady' are stars Stanwyck and Joel McCrea, as Warner cutting room gets 'full speed' order for immediate print shipment.





HEAVEN AND HAL brought to screen when Hal LeRoy hoofs for unique 'Goin' To Heaven On A Mule' number in Warners' coming musical mammoth, 'Wonder Bar.' °

'TRIUMPH FOR ALL', superlatives *Variety Daily* after first view of 'As The Earth Turns', next dramatic special from Warner Bros.*



PRESS GREETS author Bruce Lockhart's arrival from England on transcontinental tour for 'British Agent', Warner best-seller which will star Leslie Howard.°

*A Warner Bros. Picture °A First National Picture Vitagraph, Inc., Distributars

PARAMOUNT annou pictures for Februa and 5 *out of five*



"SEARCH FOR BEAUTY"

with the 30 International "Search for Beauty" Contest Winners and Larry "Buster" Crabbe, Ida Lupino, Robert Armstrong, James Gleason, Roscoe Karns and Toby Wing

Directed by Erle Kenton

Release date February 2



"SIX OF A KIND"

with Charlie Ruggles, Mary Boland, W. C. Fields, Alison Skipworth, George Burns and Gracie Allen

Directed by Leo McCarey

Release date February 9

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have "IT"!



GEORGE RAFT
in "BOLERO"

with Carole Lombard, Sally Rand, the Fan Dancer, and Frances Drake

Directed by Wesley Ruggles

Release date February 23



EDMUND LOWE
VICTOR McLAGLEN
in
"NO MORE WOMEN"

A Charles R. Rogers Production. Directed by Albert Rogell

Release date February 23



SYLVIA SIDNEY
FREDRIC MARCH
in
"GOOD DAME"

Directed by Marion Gering. A B. P. Shulberg Production

Release date February 16

Paramount Pictures

if it's a PARAMOUNT PICTURE
—it's the best show in town!

Civic Leaders Among 100 for Board Places

(Continued from page 1)

tives, active business men, heads of utility corporations and other prominent representatives of outstanding civic units.

The recommendations may be submitted to the selection committee, which meets again Feb. 8 to complete choices for Detroit, Cleveland, Boston and Chicago zones. All outside members first will have to be approved by the Code Authority before Division Administrator Sol A. Rosenblatt puts his official stamp of approval on them.

Aim at Redrafting Vaude Code Terms

(Continued from page 1)

be set up to deal with vaudeville matters since there is no clause in the code for the special handling of protests from this source of entertainment. About 50 complaints reached Executive Secretary John C. Flinn yesterday and he is referring them to the committee.

Absence of Dorothy Bryant, executive secretary of Chorus Equity, from the general meeting at the Astor Wednesday caused quite a stir. Mrs. Bryant explained yesterday that she was satisfied with the code as it stands, having worked on it for three months, and there was no reason for her attendance.

Objections to paying chorines $35 weekly while working and $3 a day while laying-off between shows were registered by vaudeville interests who stated that they could not afford the provisions set in the code. Various recommendations have been made and will be submitted to the committee, which will sift the grievances and recommendations.

ITOA, Allied Both Hold Back Assents

(Continued from page 1)

ticipated Rosenblatt will himself draw up a basic wage scale.

Allied of New Jersey's reason for withholding assents is that the organization wants to wait until a decision is handed down by the court on unqualified compliances. The case of Congress Theatre, Newark, comes up Feb. 20, in the U. S. District Court, or eight days before the new deadline for returning compliances.

Rosenblatt May Fly

WASHINGTON, Feb. 1.—Division Administrator Sol A. Rosenblatt is expected to return here from the coast on Monday. He may fly from Hollywood.

HOLLYWOOD, Feb. 1.—Rosenblatt, washing up his Hollywood trip today with visits from delegations representing the Academy, extras, cameramen and independents and Central Casting, said code problems will bring him to Hollywood intermittently.

Expect Government Aid for Authority

(Continued from page 1)

actions complained of do not meet with the approval of the Administration.

In the film case, however, it is indicated that the Administration will defend the Code Authority, whose demand for unequivocal acceptance of the code is said to have met with the approval of Washington officials.

Pending a decision in Washington as to whether the Government will defend the Code Authority in Allied's Congress Theatre suit members are inclined toward hiring an attorney to defend them as a group with the intention of having him work with any NRA attorneys chosen to defend Division Administrator Sol A. Rosenblatt.

This proposal, not yet acted on, would relieve Code Authority members of what is regarded as an unfair burden if they were obliged to retain personal attorneys at their own expense on an action affecting the code. This was felt to be particularly fair to such members as Charles L. O'Reilly, Ed Kuykendall, Nathan Yamins and W. Ray Johnston, who are without company or organizational counsel and would otherwise be required to retain personal counsel in behalf of a purely code action.

If the proposal is approved, the Code Authority would set aside an appropriation for the purpose which would be charged later against Code Authority costs and borne proportionately by the entire industry, including Allied's own members who sign the code. Fred Wood, of Cravath, De Gersdorf, Swaine & Wood, appears to be a likely choice for Code Authority counsel if the proposal is approved.

Roxy-RKO Deal Ends

Booking of "Glamour" and "Imitation of Life" into the Music Hall will wind up a special agreement between the Roxy and RKO on an exchange of bookings. The two Universal pictures, originally bought by the 7th Ave. house, will be substituted for two Radio pictures intended for the Music Hall. No dates have been set on the bookings.

Riot at "Brand" Opening

PORTLAND, Ore., Feb. 1.—Disorder marked the showing of 'S. A. Man Brand," depicting the triumph of Hitlerism over Communism, today when 500 stormed and picketed the Taylor Street Theatre carrying banners reading "Down with Hitler." Five were arrested.

Billboard Bills In

ALBANY, Feb. 1.—Creation of a state billboard bureau for taxation and regulation of roadside signs is the aim of two bills introduced in the Legislature today. Some types would be prohibited and the location of all would be regulated.

Lovelace on the Job

Hunter Lovelace took over D. A. Doran's post as head of the eastern story department of Fox yesterday morning. His new assistant, John Mock, also went to work.

Academy and Unions Talk To Rosenblatt

(Continued from page 1)

huddle with Charles W. Cunningham, Los Angeles district administrator for the NRA. Rosenblatt leaves tonight.

After discussing all codes yesterday with civic and amusement leaders at the Breakfast Club Rosenblatt took up a number of labor problems. I. A. T. S. E. groups were headed by Richard J. Green, who protested against limitation of union hours. Rosenblatt referred these matters to the Studio Labor Board. Charles Leesing, representing smaller labor groups, was also heard.

Later Rosenblatt took up with a committee of legitimate theatre operators for alleged violations of their cod by issuing throwaway passes. On this committee were Homer Curran, Edward Belasco, E. E. Clive and George K. Arthur.

Will H. Hays and representatives of the Producers' Ass'n. also called.

An agents' group consisting of George Frank, Scotty Dunlap, Phil Berg, Charles Feldman, William Morris, Jr., Morris Small, Ralph Blum, Mike Levee and Arthur Landau protested against any producer time option to curb their negotiation of new contracts.

During all conferences Rosenblatt implied the codes provided serious penalties.

Senate Going Into Musicians' Racket

WASHINGTON, Feb. 1.—Racketeering activities among New York theatre musicians were today under consideration by the Senate committee investigating racketeering, following the testimony of witnesses yesterday that orchestra players were required weekly to turn back part of their salaries to theatre managers.

Cases where musicians who refused to "kick in" were waylaid by gangsters and beaten were recited before the committee by witnesses.

The testimony charged that the New York local musicians' union was under the domination of the American Federation of Musicians.

Group Starts West

Dr. A. H. Giannini, chairman of the executive committee of the Bank of America, National Association, Los Angeles; Joseph M. Schenck, president, Al Lichtman, vice-president in charge of domestic distribution, United Artists, and Arthur Stebbins, left for Hollywood yesterday.

Adler Joins Tower

Bert Adler has joined the Tower Magazine group as associate editor in charge of promotion. The magazines, sold over the counter in the Woolworth stores, are *New Movie, The Home, Detective Stories* and *Love Stories.*

Garrison House Is Sold

GARRISON, Wyo., Feb. 1.—R. A. Walker has sold the Lyris to J. C. Burton.

No Film Move Looked for in Congress Now

(Continued from page 1)

with legislation or introducing othe forms of governmental pressure.

Conferences are scheduled betwee Congressman Sirovich and Divisic Administrator Sol A. Rosenblatt a soon as the latter returns from Cal fornia. Other members of Congre and some Government officials ma participate, because Sirovich is said t believe that block booking can be h by changes in the copyright laws.

The conference was suggested b General Johnson, Sirovich declare adding that it probably was an ou growth of the situation arising wh President Emeritus Lowell of Harva refused appointment as a Governme representative on the Code Authori because of his objection to the incl sion of the block booking provisio in the agreement.

Sentiment is also being massed b hind the bill introduced during the sp cial session by Congressman Patm of Texas, providing for the establis ment of a commission, with powers censorship, to control the industr However, it is not believed that a action will be taken on the measu this session, in view of Preside Roosevelt's expressed desire that Co gress confine itself to matters major importance, in order that t session may not be unduly prolonge

Despite adoption of the film co and the Senate investigation of W Street, agitation for a full investig tion of the industry has not died dow Members of the House interested the subject are shortly to meet w Representative Sirovich to consi whether to push his resolution of vestigation. Congressman Sabath Illinois, the New York member sa is urging action on the resolution.

Federation Delays Advertising Acti

No immediate action by the Fe ation of the M. P. Industry is in pr pect on submitting advertising member companies to the M. P. D. A. advisory department headed J. J. McCarthy. The move was ommended by the standards comm tee of the Federation several we ago, but awaits action by a gen membership meeting. None is sch uled at this time, due to the abse of Harry Thomas, president, wh vacationing in Florida.

Alec Moss, secretary of the Fe ation, has resigned that post to as on Paramount exploitation u Robert Gillham. No successor Moss has been appointed by the F eration.

New S. A. Exchange

A new exchange, to be known Monogram Limitada, will be opene Buenos Aires. Arrangements h been completed between Ritchey port, Inc., and Stanton H. Wal with Wallach exclusively distribu Monogram pictures in Argen Uruguay and Paraguay.

Denver Price Rises Big Aid to Grosses

DENVER, Feb. 1.—Two price boosts ave been made within a month, and eatregoers evidently like it. In spite jumps at the Orpheum, standouts e more numerous than ever, with e gross on "Flying Down to Rio" e biggest in months. The Sunday ke broke the record for that day nce Harry Huffman took over the eatre 18 months ago. Folks were ill buying tickets long after the last age show had started. The holdout as continuous from 12:30.

On Jan. 1 Huffman boosted the price r the main floor and loges from 40 nts to 50 cents. Grosses climbed, ith the demand for 50-cent seats exeding the amount. With the beginng of the current week Huffman osted the top for the entire house to cents, with the results told above.

The other three first runs get 40 nts, with the Aladdin reserving loges ntil 8 P.M. at 50 cents.

Richards Asks New Deal for Peninsula

NEW ORLEANS, Feb. 1.—E. V. ichards, receiver for Saenger Realty o., has applied to Federal Judge Vayne G. Borah for relief from its ontract to guarantee $492,000 in notes r Peninsula Theatres, Inc.

This company was formed several ears ago as a Saenger subsidiary to ke over the Florida houses of Uniersal Chain Theatrical Enterprises, nc.

In a supplementary petition Richrds asks for permission to reorgane Peninsula, to take 500 $100 par alue preferred shares of a new comany and all the Class A common in eturn for an advance of $10,000.

Lady" Contest Winners

Winners have been announced by olumbia in its national exploitation ontest on "Lady for a Day."

The lucky ones and the awards llow:

First, Hardie Meakin, RKO Keith's, ashington, D. C., golf set; second, manger Majestic, Reno, $50 watch; third, Don ichols, Broadway, Charlotte, N. C., wrist atch; fourth, J. Golden, Palace, Rochester, lliard table; fifth, Howard Waugh, Warer, Memphis, auto radio; sixth, R. D. alsh, Lafayette, Buffalo, traveling robe; venth, George Landers, E. M. Loew's, artford, traveling robe; eighth, manager ialto, Atlanta, radio set; ninth, Sonny epherd, Mayfair, Miami, radio set; 10th, illiam Leggiero, Ritz, San Bernardino, al., radio set.

Jack Cohn Returning

HOLLYWOOD, Feb. 1.—Here since aturday, Jack Cohn of Columbia has ecided to start back tomorrow night. le has been discussing the new seaon lineup with Sam Briskin and larry Cohn.

Gartner in New Post

Charles L. Gartner has been named ublicity manager of the foreign field y Paramount. Albert Deane conues as director of publicity and adertising for Paramount International orp.

Schenck Set on Trip

Nicholas M. Schenck, president of oew's, Inc., and M-G-M, sails for ollywood on the *Pennsylvania* toorrow. Mrs. Schenck is accompanyg him.

French Reported Planning Drive on American Sales

(*Continued from page* 1)

border in Canada in favor of a concentrated drive here.

Whether or not the suggestion has been adopted by the French Government could not be learned yesterday, although those familiar with the situation leaned toward the opinion it had not, as yet.

Robert Hurel, well known French film man, is in this country, having arrived on the *Ile de France* Wednesday. An impression afloat yesterday was his trip here at this time may have something to do with the above scheme, although Hurel could not be reached yesterday for a statement on the purpose of his American visit.

Miss Bourke-White To Do Soviet Film

Margaret Bourke-White, art photographer and authority on Soviet subjects, will make two shorts on Soviet life for release by the Van Beuren Corp. under a contract closed yesterday by Fitelson & Mayer, attorneys for Miss Bourke-White. The pictures will be compiled, edited and recorded under her supervision from negatives made by her in Russia. She will also supply explanatory dialogue.

Monogram Buys Five

Five story purchases have been completed by Monogram for the company's tentative schedule of 36 features for 1934-35 production. The stories are: "Heads Up," by Adele Commandini; "The Right Man," by Albert Payson Terhune; "Women Who Kill," by Frederic and Fanny Hutton; "Twenty Years," by Robert F. Roden, and "Sing Sing Nights," by Harry Stephen Keeler.

Dissolve Far Eastern

DOVER, Feb. 1.—Far Eastern Theatre Co., a Delaware corporation operating in China, was declared dissolved by the State Department here today. The dissolution was voluntary, more than two-thirds of the stockholders giving their consent at a recent meeting in Shanghai, China.

Goodman Starts West

Delbert Goodman, Far Eastern district manager for Fox, who has been in New York for home office conferences with Clayton Sheehan, left yesterday for California. After conferences at the studio he will go to Japan.

LeMaire to Produce

HOLLYWOOD, Feb. 1.—Rufus Le Maire, talent scout, will quit 20th Century May 1 to produce three plays on Broadway with a summer stock company, following which he will return to the coast for a spot with a major studio.

Quigley to Coast

Martin Quigley left yesterday for Palm Springs, Cal., en route to Hollywood.

Rowland Forms His Own Producing Unit

DOVER, Feb. 1.—Rowland Prod., Inc., has been chartered here to produce and distribute films, listing capital of 1,000 shares, no par value. The incorporators are J. Vernon Pimm, Albert Bauer and R. L. Spurgeon, all of Wilmington.

New York offices of William Rowland and Monte Brice were closed yesterday following dissolution of the producing association earlier in the week.

Rowland, who planned to leave for Hollywood today to begin independent production under the newly incorporated company name of Rowland Prod., was delayed in winding up affairs here and will not leave until the first of next week. Brice's future plans are still undetermined.

"Moulin Rouge" Tour Is Set Under Way

The "Moulin Rouge" caravan was sent on its way yesterday on its exploitation tour of the 20th Century release. Washington, the first stop, was reached last night. The players will leave the national capital today for the next hop.

Seek Theatre Walkathons

SPRINGFIELD, O., Feb. 1.—To at least partially remove walkathons from direct theatre competition by booking this class of amusement in connection with vaudeville, is the objective of the Gus Sun Booking Agency here.

According to Bob Shaw, general manager of the agency, endurance contests will be booked direct with theatre managers for presentation in houses now dark.

Goldsmith Unit Moves

HOLLYWOOD, Feb. 1.—Ken Goldsmith has moved his production unit from the Beachwood Studios and is now operating at Talisman. First picture at the new studio will be "I Hate Women." Audrey Scotto will direct.

Busby Berkeley to Wed

HOLLYWOOD, Feb. 1.—Busby Berkeley and Merna Kennedy have filed their intentions to wed. If their present plans work out, the pair will have the ceremony performed in Hollywood on Feb. 10.

Muni to Report March 1

HOLLYWOOD, Feb. 1.—Paul Muni, now in Italy, is expected to report at Warners on March 1. At that time the studio will have an original starring vehicle for him in readiness for production.

Neil Agnew in Detroit

DETROIT, Feb. 1.—Neil Agnew, sales manager for Paramount, today conferred with the local exchange sales force in connection with the Victory Drive. From here he goes to Chicago and then Milwaukee.

Coast Editors Want Less Picture News

SANTA BARBARA, Feb. 1.—A protest to news wire services against overemphasis of Hollywood affairs to the exclusion of more important general news was voiced by editors at the 46th annual convention of the California Newspaper Publishers' Ass'n. held here recently. A committee was appointed to ask the wire services for a change of policy which would result in an increase of news items from other California cities and a corresponding decrease in Hollywood news put on the wires.

Representatives of the wire services admitted that an average of 48 out of every hundred news items put on the wires from Southern California would bear a Hollywood date line, but added that "few complaints had been received because hourly reports were sent out on Greta Garbo's recent motor tour."

Virginia to Merge Open Sunday Bills

RICHMOND, Feb. 1.—Sunday law amendments now before the House Committee on Morals and Social Welfare will be lumped into one bill, the committee has decided. A sub-committee will prepare the omnibus bill.

The bills include the English bill legalizing the sale of gasoline and oil, and Sunday athletic contests between the hours of 2:30 P.M. and 7:30 P.M., except boxing and wrestling.

The English bill setting up referendum machinery for Sunday films.

The McMurran bill setting up machinery whereby localities through popular vote or action of local legislative bodies may legitimatize all Sunday amusements.

Special Casts New Idea for Trailers

A new departure in de luxe trailer preparation is being employed by National Screen Service in the hiring of its own casts to reenact feature picture scenes for trailers. The procedure is used only on trailers for a selected list of pictures.

Recent trailers on Warners' "Hi, Nellie," "Fashions of 1934" and "I've Got Your Number" employed this procedure. National Screen has no cooperative arrangement with Warners, who make their own trailers for the company's product.

May Dissolve Television
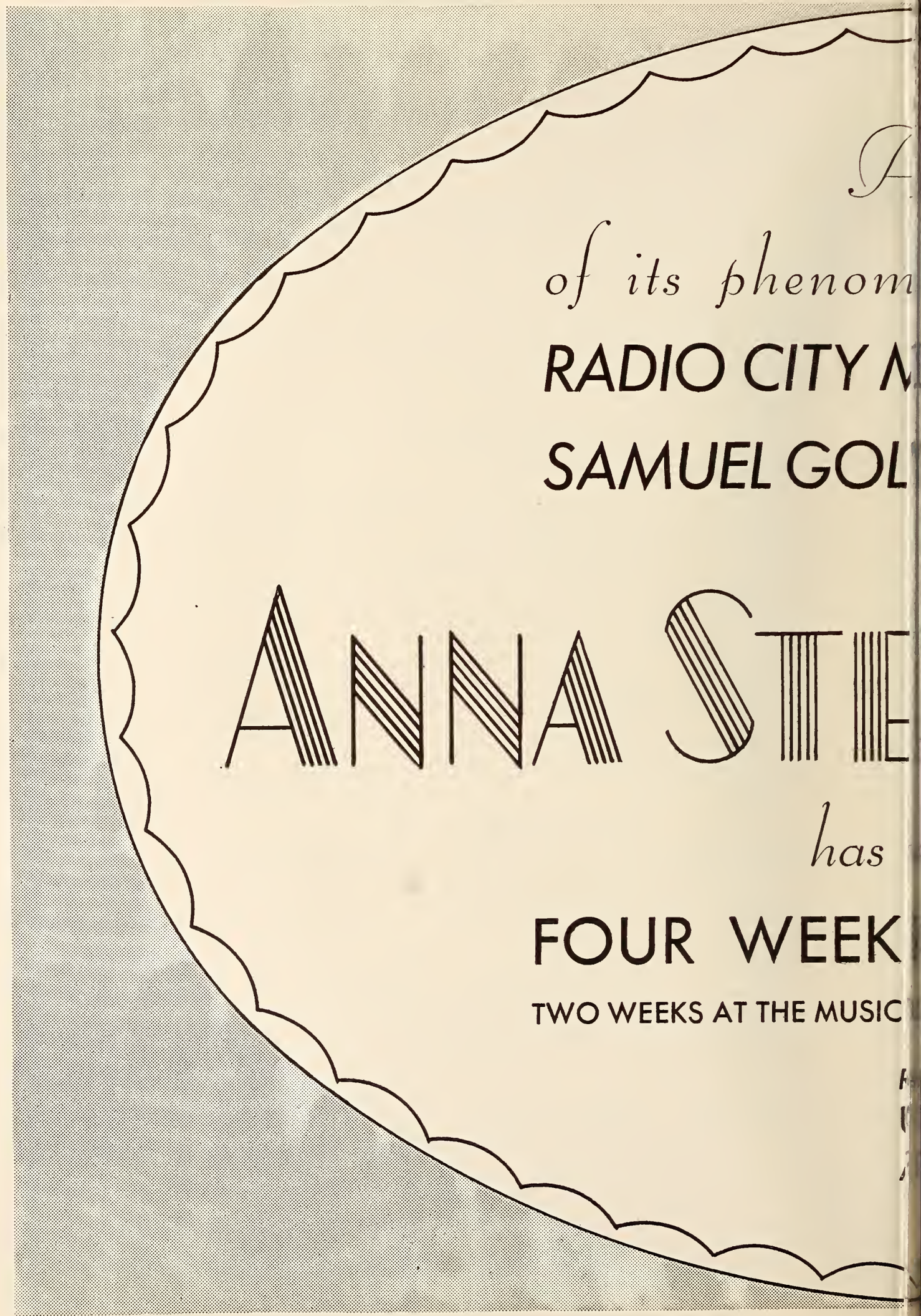
WILMINGTON, Feb. 1.—Standard Television & Electric Corp., of New York, a Delaware corporation, will hold a stockholders meeting in New York on March 1 to take action on a resolution to dissolve. Stock transfer books have been closed.

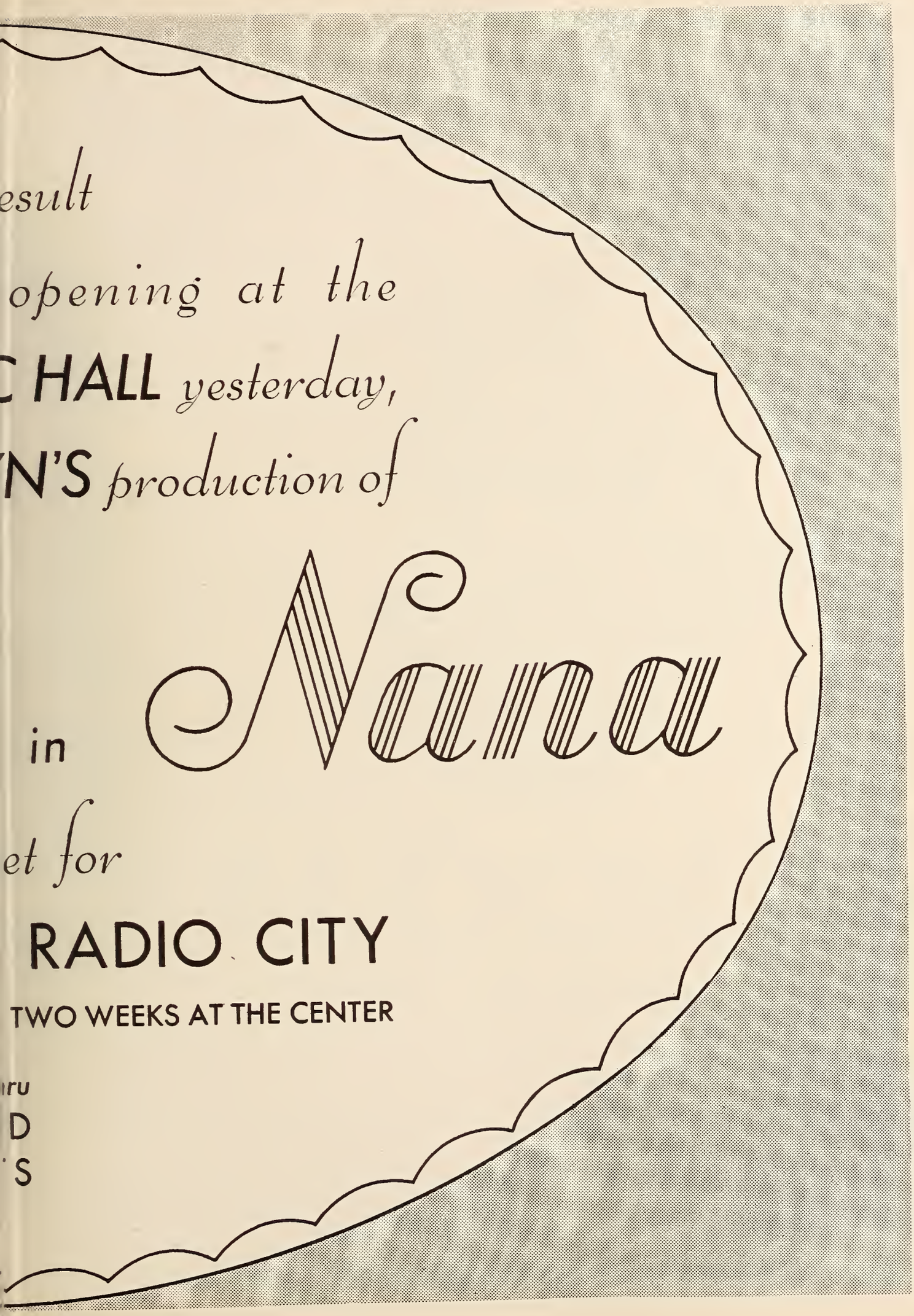
Rivoli May Get 'Empress'

"The Scarlet Empress" is expected to be dated into the Rivoli as the second of a three-picture deal arrived at when United Artists took over the house from Publix. First Paramount picture under the agreement was "Duck Soup."

Roxy Books "Hips"

The Roxy has closed with Radio for "Hips, Hips, Hooray," starring Wheeler and Woolsey and will spot in the week of Feb. 22.


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of its phenom
RADIO CITY M
SAMUEL GOL
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FOUR WEEK
TWO WEEKS AT THE MUSIC


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Sees Central America Film Market Gains

With conditions in Central America looking "very good" for 1934, greater profits are promised the American industry from that territory in the days to come, it was asserted by John B. Nathan, general manager for Paramount in Central America, in an interview yesterday with MOTION PICTURE DAILY.

One reason for his belief, said Nathan, was that political conditions in the Central American countries had acquired stability, with stronger government the result. With revolutions no longer the rule down there, the people are finding more time to go to the theatres, he remarked.

Another reason he gave was what he termed the "good neighbor policy" of President Roosevelt, which he credited with "going a long way toward improving relations between American and Central American business."

He said his belief was further backed by the fact that there has been "a gradual increase in wired houses in the Central American countries."

Nathan asserted American-made pictures were still preferred by audiences in Central America, with the demand being chiefly for films with a minimum of dialogue and a maximum of action.

"The people down there," he asserted, "are getting to like American talking films more than ever because they are cutting down on the dialogue and giving more attention to action."

Lackey's Mother Passes

HOLLYWOOD, Feb. 1.—Mrs. Carrie Truesdell, mother of William T. Lackey, Monogram producer, has passed away. She was 61 years old.

"Palooka" Show Feb. 6

Local trade showing of "Palooka" will be held at the Astor at 11 A. M. on February 6. United Artists will shortly release.

50 Million Radio fans are waiting for this film.

Booked solid in RKO Metropolitan Theatres



State and Foreign Rights for Sale
Metropolitan Bookings available.

Inter Americas Film Corporation
50 East 42nd Street, New York City

Purely Personal

MADELEINE CARROLL will be the guest of the publicity departments of Fox and Gaumont British at a tea dansante this afternoon at the Waldorf-Astoria

ANDRE CHALUS, directing head of Film Union, S. A., distributors of Radio pictures in France, Belgium and Switzerland, is conferring with home office executives.

ABEL G. WARSHAWSKY, brother of SAM, the press agent, will hold an exhibition of his paintings at the Newhouse Galleries here beginning tomorrow and continuing to Feb. 24.

FRED STONE, his daughter CAROL, TAMARA, BLANCHE YURKA, ALICE HUGHES and ELIZABETH ARDEN were Ampa guests yesterday. TESS MICHAELS conducted the regular session.

LEW PRESTON is back from a vacation in the south.

HAM FISHER, originator of the comic strip "Palooka," was host at a private showing of the picture to all local sport editors and fight writers last night.

JOE MORRISON departs for the coast tomorrow to make his debut in films for Paramount, which has him signed to a long-termer.

HAL HORNE, as usual, is giving everybody credit for the campaign on "Nana"—everybody but himself.

FRANK MCCARTHY, eastern district manager for Universal, is basking under the Miami sun these days.

SINCLAIR LEWIS has sold "Work of Art" to Fox. It will have a cellection of Fox names in the cast.

FREDDY RICH and his orchestra have been signed for a Vitaphone short.

Hollywood On Parade

By BILL SWIGART

HOLLYWOOD, Feb. 1.—IDA LUPINO, who wears a 53-year-old make-up for Paramount's stock company play, "Double Doors," dropped into the studio publicity department the other day and for once they did not fall all over her. In fact, they gave her the cold shoulder, thinking she was somebody's pestering mother and kept trying to shift her to somone else.

•

LANNY ROSS' initiation into pictures took place at the Paramount under adverse conditions. The first day's call was for 10 o'clock on the set. He sat around in his makeup until five when the company decided to let him strut his stuff. He had barely started on his lines when it was radio time. So he dashed over to the RKO studios for the "Showboat Hour" then back to Paramount to complete his day's work.

•

PERT KELTON has given up her 20 room menage in the Los Feliz hills because it was too spooky. She will probably return to her old suite at the Warner-Kelton hotel where spooks have to be announced before entering.

FRANCES DRAKE was a well known dramatic actress when she came out here under contract to Paramount. Today, she's one of the screen's most consistent dancers. She's been dancing in three successive pictures. What's more, she had to learn to dance before being able to fill her first assignment.

•

CLARKE GABLE is studying the art of fisticuffs under the tutelage of MIKE CANTWELL, who teaches the stars how to take care of themselves—in case.

•

TED HEALY's new nickname is "Multicolor." He showed up at M-G-M the other day attired in a red, white and yellow checkered sweater, a blue and green tie, a green coat, yellow trousers and a purple pocket handkerchief. And every day he changes the color scheme.

•

Being elected one of the 10 best dressed men in the world by a group of international tailors brings fond recollections to ADOLPHE MENJOU—a time when he worked his way through Cornell as a campus representative for a clothing house.

Denver Women Show Foreign Film Series

DENVER, Feb. 1.—Two Denver society women, Mrs. William H. Downs and Mrs. Will Shaffroth, are making a profit on the showing of foreign films here. They lease the Bluebird, a neighborhood house, for the day, and promote among local social circles dinner parties and the like on the day the film is shown.

So far they have shown two and have arranged to show four more.

Lehman Leaves Hospital

KANSAS CITY, Feb. 1.—Lawrence Lehman, manager of the RKO Mainstreet, has left Menorah hospital where he was confined a week for observation and treatment. Jack Gross, lately with RKO in Sioux City, Ia., was relief manager.

Waugh Battles for Kentucky Openings

MEMPHIS, Feb. 1. — Howard Waugh, Warner zone manager, won a "moral victory" recently in the opening gun of his fight to open the Warner theatres in Kentucky on Sunday.

Paul Wyckoff, manager of the Princeton, was arrested for operating on Sunday, but his trial resulted in a "hung jury," the jurors being unable to reach a verdict, which is regarded by Waugh as something of a victory. The case will be tried again later.

Several of the Warner houses in Kentucky are running on Sunday in towns where there seems to be no objection to Sunday shows despite the state regulations. Fulton, Ky., just across the state line from Tennessee, draws a large patronage from this state for its Sunday shows.

Insiders' Outloo

(Continued from page 2)

on schedule for Omaha, Chicago and Boston. Undoubtedly wires of the same tenor will develop from those points as well...

▼

Advertising doesn't mean thing? Oh, yeah! The splas campaign on Sten and "Nana"—$47,000 of it—had 'em standin eight abreast at the Music Ha yesterday morning, snow an all, as the big house threw ope its doors fifteen minutes ahead c schedule to take care of the cus tomers. The picture, on the basi of its opening, will hold forth a the house for two weeks. That' definite. Also set, according t United Artists, are two weeks t follow thereafter at the Cen ter...

▼

Definite, too, are complication with the Loew circuit, for year a U. A. franchise holder, sinc the Center is not a first ru house and because U. A. play the Loew string, not RKO whic is what the Sten film will be do ing when it moves down 6t Ave..."Nate," meaning N. I Nathanson, is not too happy ove that Poli deal...Fanchon an Marco's dicker, drummed up b Harry Arthur, is in complica tions. The one with Fox Wes Coast for houses up and dow the Pacific Slope...

KANN

Feist in K. C. Conferenc

KANSAS CITY, Mo., Feb. 1.—Deve opment of sales policies for the balan of this year's product and of sal plans for next season is reported he to be behind Felix Feist's visit M-G-M exchanges. Today he co ferred with District Manager Har P. Wolfberg and Branch Manag Frank Hensler. Tomorrow night Fe continues westward. He is accor panied by Allan Cummings.

St. Louis Deal Approve

ST. LOUIS, Feb. 1.—Circuit Jud Ryan today approved the agreeme under which the Fox Theatre receiv leased the house for $1,350 a week the Eden Theatre Co. with profits be split equally. The lease is to co tinue until the present receivership terminated.

Observe Review Progres

The 25th anniversary of the foun ing of the National Board of Revie will be reviewed at a three-day a nual conference to be started at th Hotel Pennsylvania Feb. 8 and co tinued through the 9th and 10th. Var ous groups interested in films will b represented.

Board to See "Catherine

A private screening of "Catherin the Great" will be held by Unite Artists at the New School for Soci Research the evening of Feb. 8 f members of the National Board Review and delegates to the board annual conference.

SVELTE

James Casanova Beaucaire Durante...
The Screen's New Perfect Lover...
A Second Don Juan and Twice as Good as the First!



Watch him Inka-Dinka-doo at the

NATION WIDE TRADE SHOWS

of

"PALOOKA"

with JIMMY DURANTE
LUPE VELEZ
STUART ERWIN

A Reliance Picture
Produced by Edward Small

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FEB. 6TH
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UNITED ARTISTS EXCHANGE

Another hit from FOX



JANET GAYNOR
LIONEL BARRYMORE
in
"CAROLINA"

ROBERT YOUNG • HENRIETTA CROSMAN
RICHARD CROMWELL • MONA BARRIE
STEPIN FETCHIT

Directed by HENRY KING. From "The House of Connelly" by Paul Green

FOX

Your patrons always like
FOX MOVIETONE NEWS

...has the whole trade talking!

"Carolina" crashes into top-money brackets

New star combination proves spectacular success . . . . as pre-release engagements play to S. R. O. business. Thundering applause greets greatest performances of two great stars. The word is out: FOX has made another "State Fair."

Just Look!

PHILADELPHIA
FOX Theatre

"Opened to biggest business since 'Paddy'. Audience reaction very good. All critics unanimous in praise."

AL BOYD

RICHMOND
STATE & CAPITOL Theatres (day&date)

"Opened to big business at both Capitol and State. Believe it to be best of Gaynor's pictures. Audience reaction great."

SAM BENDHEIM, Jr.

DETROIT
FOX Theatre

"What a picture and how the audience eats it up. Biggest business in many, many months. Standees in house and lobby."

D. M. IDZAL

CHARLOTTE
CAROLINA Theatre

"Widely enthusiastic audience packed theatre for opening. Throngs crowded street unable to get tickets. Laughter and applause throughout."

BALTIMORE
NEW Theatre

"More pictures like 'Carolina' and we could pay off the national debt. Greater than 'Paddy' and 'State Fair'. Expect phenomenal 3 week run."

M. A. MECHANIC

CLEVELAND
HIPPODROME Theatre

"Best opening day's receipts in history of theatre. Doubled regular Saturday receipts, playing capacity all day. Marvelous public and press comment."

"Scandals" Is Kansas City's Top, $20,000

KANSAS CITY, Feb. 1. — Eddie Cantor in "Roman Scandals" at Loew's Midland swamped all opposition and ran away with the week's first run honors at $20,000, almost double the normal take. A big campaign and the Midland's 25-cent price brought in many from the suburban sections. The only other attraction to exceed average business was "I Am Suzanne," which grossed $600 above a median $3,000.

Total for the week was $35,500. Average is $27,000.

Estimated takings:

Week Ending Jan. 17:

"EIGHT GIRLS IN A BOAT" (Para.)
NEWMAN—(1,800), 25c-40c, 6 days, plus Saturday midnight show. **Gross:** $5,900. (Average for 6 days, $6,000)

Week Ending Jan. 18:

"COUNSELLOR AT LAW" (Univ.)
MAINSTREET—(3,049), 25c-40c, 7 days. **Gross:** $6,000. (Average for straight films, $7,000)

Week Ending Jan. 19:

"ROMAN SCANDALS" (U. A.)
MIDLAND—(4,000), 25c, 7 days, plus Saturday midnight show. **Gross:** $20,000. (Average, $11,000)

"I AM SUZANNE" (Fox)
UPTOWN—(2,000), 25c-40c, 7 days. **Gross:** $3,600. (Average, $3,000)

"Women" Piles Up $15,000 in Denver

DENVER, Feb. 1.—"Little Women" piled up $15,000 at the Denver. This is double the normal take. The picture was moved to the Paramount for a second week.

"Going Hollywood," helped by a stage show, packed the Orpheum during the early part of the week and then tapered off. The $13,000 take was over average by $3,000.

"Miss Fane's Baby Is Stolen" was taken out of the Denham at the end of six days.

Total first run business was $37,500. Average is $29,750.

Estimated takings for the week ending Jan. 25:

"CANDLELIGHT" (Univ.)
ALADDIN—(1,500), 25c-40c, 7 days. **Gross:** $4,000. (Average, $3,500)

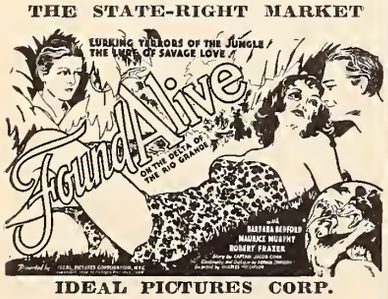
"MISS FANE'S BABY IS STOLEN" (Para.)
DENHAM—(1,500), 25c-30c-40c, 6 days. Stage show. **Gross:** $4,500. (Average, $6,000 for week)

"LITTLE WOMEN" (Radio)
DENVER—(2,500), 25c-35c-50c, 8 days. **Gross:** $15,000. (Average, $7,500)

"GOING HOLLYWOOD" (M-G-M)
ORPHEUM—(2,600), 25c-35c-50c, 7 days. Stage show. **Gross:** $13,000. (Average, $10,000)

"ADVICE TO THE LOVELORN" (U. A.)
PARAMOUNT—(2,000), 25c-40c, 7 days. **Gross:** $3,000. (Average, $2,750)

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Looking Over Shorts

"Pirate Treasure"
(*Universal*)

In the first three chapters of this serial Richard Talmadge supplies an amazing amount of action. Audiences which like fights on roofs, crazy automobile chases, automobiles diving off the docks into the water, leaps off bridges onto moving trains and other stunts will go for this one, but the appeal is mostly for youngsters.

Talmadge returns from a round the world airplane flight and tells his Aero Club friends he is going to fit out an expedition in search of buried treasure. A gang tries to steal the map.

The film is smartly cut with inserts of crowds to give it production value and the photography is good. Each sequence runs about 20 minutes.

"Ross-Petrolle Fight"
(*Garden Films, Inc.*)

Photographed with a telescopic lens, the Barney Ross-Billy Petrolle fight pictures are exceedingly clear on the screen. The actions of both men, their punches and defenses, register vividly. The sound is blurred, and only the announcer's and referee's voices register clearly.

Federal law prohibits inter-state transportation of fight films. Running time, 20 mins.

"Goofytone Newsreel"
(*Universal*)

This is a satirical take-off on some features of regular newsreels. In one sequence there are goofy interviews on prosperity with a street cleaner, plumber and housewife; a double-decker supper preparer is described in another; still another has a big race that switches from horses to autos, to motorcycles, to trotters pulling sulkies and back to autos. It's entertaining. Running time, 9 2/3 mins.

"Pettin' in the Park"
(*Vitaphone*)

One of the "Merrie Melody" series in which a cartoon cop gets into a series of escapades with the "Pettin' in the Park" song from "42nd Street" running through the strip. Birds and animals join in the music. Very good. Running time, 7 mins.

"Paramount Pictorial"
(*Paramount*)

This latest pictorial is of the conventional type, featuring shots of an old mill, the formation of frost on a glass pane, shot through a microscope, and Billy Hill, composer of "The Last Round-Up," singing his songs. Running time, 10 mins.

"Gold Nuggets"
(*Paramount*)

An amusing short, featuring Walter Catlett, and having a story laid in a western mining town. Catlett is himself, and uses several of the characters capably as foils for his gags. Running time, 18 mins.

"Little Jack Little"
(*Vitaphone*)

Seven song hits are introduced with Little Jack Little seen through a hole in the title sheet playing a piano. Scenes shift as Lester Cole, Gloria Talmer, George Taps, Virginia McNaughton and Vercell and Sinnott sing. The songs are: "Hold Me," "Jealous," "Ting-a-Lings," "Oceans of Love by the Beautiful Sea," "In a Shanty in Old Shanty Town," "Because They All Love You" and "At the Baby Parade." Very well done. Running time, 9 mins.

"Mickey Shanghaied"
(*Disney-U. A.*)

Mickey and Minnie are imprisoned in the captain's stateroom on a pirate ship and the crew is singing "The Captain's Got a Lady" when this one opens. Minnie is tied to a bedpost and Mickey is roped to a chair. In escaping they put the captain through some hot antics and do some exciting chases through the rigging. Good for a number of laughs. Running time, 8 mins.

"Strange as It Seems"
No. 36
(*Universal*)

Ten subjects are shown. One of them is a lemon tree in Mexico that grows lemons bigger than grapefruits. Another is a machine that makes screws for watches, a sorter of goat hair in a mohair velvet factory, a herb dispenser in Mexico, a man who makes his own paper and books, a dripping well that solidifies things, and some nice scenes from Bali. Better than the usual run of these subjects. Running time, 10½ mins.

"Private Lessons"
(*Vitaphone*)

Hal LeRoy breaks into a dancing school trying to sell foot attachments that furnish double taps for tap dancers and in no time is engaged as an instructor. All the girls try to make him, and finally introduce complications into his romance with Dawn O'Day. Four song numbers, "Follow Me," "Let's Dance," "Red-Headed and Blue" and "You-oo" keep it running in lively fashion. Running time, 22 mins.

"Sea Killers"
(*Paramount*)

A "Vagabond Cameraman" adventure that is a thriller. After buried treasure, the adventurers encounter various denizens of the deep, and by means of an automatic camera, the death struggle of a diver and an octopus, in which the man loses, is recorded. Running time, 32 mins.

"Song Hits"
(*Vitaphone*)

This "Pepper Pot," featuring the song hits of Roy Turk, falls below the average set by preceding members of this series. Turk's songs are sung by radio and phonograph artists with the composer at the piano for some of the numbers. Running time, 11 mins.

"Suzanne" Is $73,000 Draw At Music Hal

"I Am Suzanne" stirred up the biggest box-office activity in town la week at the RKO Music Hall with $73,000 take. This was a decided i crease over the previous week.

Grosses were up generally. "Mi Fane's Baby Is Stolen" with Edd Cantor on the stage, took a stro $53,000 at the Paramount, and "Ga lant Lady" demonstrated streng with a gross of $31,390 at the Rivo "Fashions for 1934" sent the Strar up to $17,309.

"Eskimo" was weak at the Capitc dropping the gross to $28,094, und the previous week's draw on "Fug tive Lovers" by more than $4,000.

Estimated takings:

Week Ending Jan. 24:

"I AM SUZANNE" (Fox)
RKO MUSIC HALL—(5,945), 35c-$1.65, days. Stage show. **Gross:** $73,000.

Week Ending Jan. 25:

"ESKIMO" (M-G-M)
CAPITOL—(4,700), 35c-$1.65, 7 day Stage show, Don Albert and Orchestr **Gross:** $28,094.

"FASHIONS OF 1934" (Warners)
HOLLYWOOD—(1,545), 25c-85c, 7 day **Gross:** $17,309.

"DESIGN FOR LIVING" (Para.)
PALACE—(2,500), 25c-75c, 7 days. Stag Gertrude Niesen and others. **Gross:** $1. 200.

"MISS FANE'S BABY IS STOLEN" (Para.)
PARAMOUNT—(3,700), 35c-99c, 7 day Stage: Eddie Cantor and others. **Gros** $53,000.

"CROSS COUNTRY CRUISE" (Univ.)
ROXY—(6,200), 25c-65c, 7 days. Stag Trixie Friganza, Vera Van, Rube Wolf a others. **Gross:** $20,000.

"MASSACRE" (Warners)
STRAND—(2,000), 25c-$1.10, 7 days. **Gros** $18,659.

Week Ending Jan. 26:

"LET'S FALL IN LOVE" (Col.)
RIALTO—(2,200), 25c-65c, 7 days. **Gros** $10,500.

"GALLANT LADY" (U. A.)
RIVOLI—(2,200), 35c-99c, 7 days. **Gros** $31,390.

"SITTING PRETTY" (Para.)—4 days
"WHITE WOMAN" (Para.)—3 days
RKO CENTER—(3,700), 25c-55c, 7 day **Gross:** $11,200.

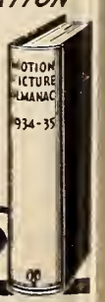
Week Ending Jan. 28:

"QUEEN CHRISTINA" (M-G-M)
ASTOR—(1,012), 55c-$2.20, 5th week, days. **Gross:** $16,800.

Week Ending Jan. 29:

"16 FATHOMS DEEP" (Monogram)
MAYFAIR—(2,300), 35c-85c, 11 day **Gross:** $15,300.

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The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

OL. 35. NO. 29 NEW YORK, SATURDAY, FEBRUARY 3, 1934 TEN CENTS

Hope to Start Some Boards On March 1st

uthority Meeting Feb. 9 To Decide

Efforts will be made by certain embers of the Code Authority to art some of the 32 clearance and ning and grievance boards function- g around March 1, it was learned sterday.

A number of the boards, selections which have tentatively been agreed on, are expected to be approved both the authority and Division dministrator Sol A. Rosenblatt at e Feb. 9 session. The meeting will held at the New York Athletic ub, starting at 2 P. M.

Only those boards agreed upon and here all members have already sent unqualified assents will be ap-

(Continued on page 3)

'alk with Rosenblatt On Talent Royalties

HOLLYWOOD, Feb. 2.—All leaders of eative branches of the industry were ven a hearing today on plans for lent remuneration on a royalty basis a meeting called by Division Ad- inistrator Sol A. Rosenblatt. The RA representative stated he would ve the subject serious consideration id make a decision when he passes other problems raised during his sit.

Will Decide on Suit Defense Next Week

Attorneys of individual members of e Code Authority will discuss with ivision Administrator Sol A. Ros- iblatt next week upon his return om the coast an effort to determine hether the government will defend e authority in the suit of the Con- ress theatre in Newark. The dis- ission will be handled over long- stance telephone.

Code Board Rules Is Next Committee Step

J. Robert Rubin, Nathan Yamins, harles L. O'Reilly and Harold S. areford, the committee on rules for e 32 clearance and zoning and rievance boards will meet next week complete a report on procedure for ode Authority. The session most kely will be held on Feb. 8, a day efore the next authority confab.

Current Conciliation Agency O.K. Under Code—Rosenblatt

Hollywood. Feb. 2.—That operation of conciliation machinery now set up within the industry to mediate disputes is not in conflict with that established under the provisions of the code was asserted by Division Administrator Sol A. Rosenblatt in final talks with representatives of various branches of the business just before he left for Washington.

The statement was made in answer to a direct question from the spokesman for the Academy of M. P. Arts and Sciences. Rosenblatt created the impression that he favored the Academy set-up as a way of handling internal studio disputes in creative branches of the industry.

Levey Expects Terms for Theatre Labor Sans Strike

No strike of ushers, doormen, ticket takers and janitors is believed necessary in order to obtain satisfactory wage schedules for these employes, Charles C. Levey, secretary-treasurer of Local 118, Building Service Employes Union, said yesterday.

Authorization to call a strike if necessary, however, will be sought by Levey at a meeting of the local next week.

In discounting the likelihood of a strike, Levey reported that wage scale negotiations have been opened with Paramount, the Rialto and the Roxy, and said the attitude of other theatre operators to whom the local's new wage contract has been submitted has been "favorable" and indicated a recognition that the new schedules sought by the union represent "equitable demands."

New contracts were submitted dur-

(Continued on page 3)

Kahane, Sheehan Vie To Head Producers

HOLLYWOOD, Feb. 2.—Indications are B. B. Kahane, Radio studio head, may succeed Louis B. Mayer as president of the Ass'n. of M. P. Producers. Winfield Sheehan is also conceded a chance for the post when the annual election of officers of the organization is held Monday.

Will H. Hays leaves for New York immediately after the election.

Goldstone to Rest; Has No Film Plans

Denying reports his trip has anything to do with production or distribution of pictures, Phil Goldstone states he is forgetting the industry until he recuperates from his recent jaw operation. He leaves within the

(Continued on page 3)

IMPPA Talk Of Federation Merger Dies

HOLLYWOOD, Feb. 2.—In view of the heated discussion that has been going on in independent production circles apropos of the possibility of effecting a merger between the I.M.P.P.A. and the Federation of the M. P. Industry, the silence maintained on the subject at last night's meeting of the former is being looked upon today with surprise here. Failure to make any mention of the suggested merger, which was expected to serve as one of the chief topics

(Continued on page 3)

High Court Upholds Kaplan Conviction

Conviction of Sam Kaplan, former head of Local 306, and his ouster from the I. A. T. S. E. were affirmed yesterday by the Appellate Division of the state Supreme Court.

Kaplan was given a prison sentence of six months on charges of coercion

(Continued on page 3)

Court Hears 306 Men On Back Pay Charge

Supreme Court Justice McGeehan yesterday heard complaints of a number of Local 306 operators formerly employed at the Windsor, Bronx, for back pay from Aug. 23, the date they

(Continued on page 3)

Cooper Quits Radio; Post Is Abolished

Plans to Make Several Films Independently

HOLLYWOOD, Feb. 2.—Merian Cooper resigned today as executive producer for Radio, one month prior to the expiration of his contract.

Cooper will leave immediately on a six-month tour of Europe, where he will do research for two or three features which he will do for the company as an independent producer, the first being "The Last Days of Pompeii." Financing is being done by John Hay Whitney. Cooper's post will remain unfilled, the studio planning to adopt a straight unit system with B. B. Kahane as chief.

Producers at Radio now consist of Pandro Berman, Lou Brock and Kenneth MacGowan, with others expected to join them, including Richard A. Rowland and Jesse Lasky.

ITOA Determines to Continue Radio Ban

Ban on Radio by the I.T.O.A. was continued yesterday following a meeting of the membership with Jules Levy, general sales manager, and Robert Wolff, New York exchange man-

(Continued on page 3)

That Gal "Nana" Is Stirring Up a Fuss

Says United Artists: "'Nana' will play the RKO Center for two weeks after it finishes two weeks at the Music Hall."

Says Charles C. Moskowitz of the

(Continued on page 4)

Heads for $100,000

Unofficial RKO estimate on the first week of "Nana" at the Music Hall places the gross, minus tax, at $100,000. The picture, in the face of a severe snowstorm on Thursday did $14,000 on its opening day. This is about neck-to-neck with opening day's receipts on "Little Women" which grossed $109,000 in its first week which ended on Nov. 22.

Consensus of New York newspaper opinion on "Nana" appears on page 4 today.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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MAURICE KANN
Editor
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Advertising Manager

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Subscription rates per year: $6 in the Americas, except Canada $15 and foreign $12. Single copies: 10 cents.

Col. Boys Sell Story

Lewis Graham and Edwin Olmstead have sold "Murder in the Theatre" to Bryan Foy Prod, Ltd. Both are of the Columbia exploitation force the former better known as Lou Goldberg.

Foy is slated to leave for the coast this week to start immediate production with probable release through Columbia.

Shea Goes West

Joe Shea, former assistant to George Gerhard in handling of Radio City Music Hall publicity, left for Hollywood yesterday to become assistant to Gabe Yorke, publicity chief at the Fox studio.



Flash Reviews

"You Can't Buy Everything"
(M-G-M)

May Robson does a finished job of acting....Charles F. Reisner's direction is smart and Len Smith's photography is high class....

"I've Got Your Number"
(Warners)

Exploits of a telephone trouble sleuth with a plethora of wisecracks and a romance thrown in for swell entertainment....

Reviews of these films will appear in full in a later issue of MOTION PICTURE DAILY.

"All of Me," yesterday's opener at the Paramount, was reviewed by wire from Hollywood on Jan. 5.

Stage Miss Carroll Party

Fox and Gaumont-British were hosts yesterday at a dansante—usually called a party—in honor of Madeleine Carroll in the Le Perroquet suite in the Waldorf.

Miss Carroll has come to this country under a one-picture contract with Fox and will leave shortly for the coast.

Lazarus After Material

Jeff Lazarus, chairman of the editorial board at the Paramount studio is en route to New York via the Canal on the *California*. He will arrive Feb. 12. While here Mr. Lazarus will make a survey of the eastern literary market and contact stage producers and playwrights.

R. P. Penny Dead

DENVER, Feb. 2.—Richard Pendleton Penny, 59, former owner of a string of theatres in northern Colorado, and for four years a booker in the Bert Levy offices in Dallas, died at his home here after a long illness. He is survived by a son, Clifford, of Denver, and a sister and brother. Funeral and burial were in Denver.

Roxy Starts Feb. 23

Roxy and His Gang start their stage tour of Paramount theatres at the Paramount, New York, Feb. 23.

Embassy Reopening With Pathe Product

The Embassy on Broadway, which went dark last month, will reopen as a newsreel house next Saturday under management of a new company known as The Newsreel Theatres, Inc. Only Pathe newshots will be used and the program will be changed every Saturday in its entirety. There will be daily changes, however, in the way of "spot news." Most of the releases, according to F. C. Wood, managing director, will be exclusive. A 25-cent admission price will prevail at all times.

The theatre is being renovated and equipped with RCA High Fidelity equipment. When Fox Movietonews operated, the sound was Erpi's.

Abroad for Atmosphere

HOLLYWOOD, Feb. 2.—To absorb background and atmosphere of "David Copperfield," Howard Estabrook and George Cukor will visit England next month.

Estabrook picked off the writing assignment of the Dickens' classic the day he completed the script and dialogue on "Green Gold," which Charles R. Rogers will make for Paramount.

Do Retakes on "Scandals"

HOLLYWOOD, Feb. 2. — George White's "Scandals," which has been in Fox cutting rooms for the past week, has gone back to the cameras for retakes and added scenes.

Studio figures it will take three days' shooting to whip the film into shape for final editing.

Columbia Wants Frawley

HOLLYWOOD, Feb. 2.—William Frawley's option has been taken up by Paramount and Columbia is trying to borrow him for the role he created on the stage in "20th Century." Leo Morrison handled the negotiations.

Miami Holds June Knight

MIAMI, Feb. 2.—June Knight is being held for a third week at the Beach and Tennis Club and leaves next week for the Universal studios to resume her picture work.

Trading Picks Up on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	25⅛	25	25⅛	+ ⅛	300
Consolidated Film Industries	4⅜	4⅛	4¼	+ ⅜	1,200
Consolidated Film Industries, pfd	14½	13	14¼	+ ⅜	5,700
Eastman Kodak	90	89½	89½	— ½	1,900
Fox Film "A"	16	15½	15¾	+ ⅛	2,600
Loew's, Inc.	29¼	28¾	28¾	— ⅜	5,900
Loew's, Inc., pfd	85	85	85	— ⅜	100
M-G-M, pfd	22	22	22	.....	100
Paramount, cts.	3⅛	3	3⅛	.....	7,600
Pathe Exchange	2⅞	2½	2⅞	+ ⅜	12,400
Pathe Exchange "A"	14¾	13½	14¼	+1	7,100
RKO	3⅛	3	3	.....	3,400
Universal Pictures, pfd	24	24	24	.....	2,000
Warner Bros.	7	6⅞	7	— ⅛	7,300
Warner Bros., pfd	22½	21¾	22½	+ ½	400

Nat. Screen Up Four on Curb

	High	Low	Close	Net Change	Sales
National Screen Service	16½	16½	16½	+4	100
Sentry Safety Control	5/16	5/16	5/16	.....	100
Technicolor	10	9¾	10	+ ¼	700

Warner Bonds Gain One

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	6¾	6½	6½	.....	10
General Theatre Equipment 6s '40, ctf.	6	6	6	.....	1
Loew's 6s '41, ww deb rights	95	94¼	95	+ ¾	2
Paramount Broadway 5½s '51	35¾	35½	35¾	— ⅜	5
Paramount F. L. 6s '47	36⅞	36	36	— ½	12
Paramount Publix 5½s '50	36½	36¼	36½	+ ¼	7
RKO 6s '41, cts	26	26	26	+1	1
Warner Bros. 6s '39, wd	55	54	54½	+1	28

Purely Personal

LAURA LAPLANTE, MAX CONSTANT, ROBERT RITCHIE, JEANETTE MACDONALD'S manager, and GAR SCHWARTZ, director of Paramount Laboratories, Paris, are sailing today aboard the *Ile de France*. MISS LAPLANTE is on her way to make a film at the Warner studio in England, while CONSTANT will fulfill an engagement at the Drury Lane in London.

FREDERICK JAMES SMITH, fan magazine editor, and MIRIAM EDITH GIBSON, also connected with fan publications, have tied the knot. The couple will make their home in Scarsdale, N. Y., upon their return from their honeymoon.

ANDRE CHALUS, directing head of Film Union, S. A., distributors of Radio pictures in France, Belgium and Switzerland, leaves for the coast tonight for conferences with company executives.

MARGARET SULLAVAN flew into town yesterday for a vacation, but expects to be recalled to the coast any minute to begin work on "Elizabeth and Mary" for Universal.

JOAN LOWELL is returning to her native hearth aboard the *Plantano* of the United Fruit Lines, due in New York Feb. 8. She has been away on a sea jaunt since last April.

DOROTHY STICKNEY, who played the lead in "Another Language," has been signed to a long term Paramount contract. She arrives in Hollywood tomorrow.

FRANK DOLAN, former *Daily News* reporter, who has been writing on the coast for some time, is back in New York and is working on a play.

ROBERT HUREL, well known French film man, who arrived in America recently, is resting in Canada from the effects of a sudden illness.

AL CHRISTIE will start production on a new TOM HOWARD comedy for Educational at the Eastern Service plant in Astoria on Tuesday.

DICK POWELL begins a series of broadcasts on a coast-to-coast hook up on Feb. 7 for a cigarette company from the coast.

HENRY KING is due soon in New York, where he will spend two weeks looking over the Broadway offerings.

WELDON HEYBURN has been signed by SAM SAX for a second Vitaphone short starting Monday.

BEN POLLOCK and his orchestra have been signed by SAM SAX for a Vitaphone one-reeler.

IRENE THIRER planted a swell yarn on "Devil Tiger" in the *Daily News* the other day.

AL JOLSON resumes his broadcast for Kraft Cheese in New York on Feb. 8.

RICARDO CORTEZ did lots of hand shaking around the Tavern yesterday.

ARTHUR MAYER sees as many as 10 pictures a week—some weeks.

CLARK GABLE comes to town on vacation on Monday.

CHICO MARX has left for the coast

MPPA Talk Of Federation Merger Dies

(Continued from page 1)

ıot the chief topic of consideration the gathering, is taken as evidence t the idea will be shelved, for the e being at any rate.

With consideration of a merger h the Federation out of the way the present, the members of the I.P.P.A. indicated at the meeting t all their efforts now would be de to establish a solid front in the ependent ranks under their own anization.

lore than 30 independents were at meeting, at which some 20 new plications for membership were anıced. These will be passed upon a special membership committee. Trem Carr was named president of organization for the coming year. H. Hoffman and Ken Goldsmith re elected vice-presidents; Larry rmour, treasurer, and Nat Levine, retary. Places were left open for o more vice-presidents and three re members of the board of direcs to take care of the increased mbership. These new posts will be ed in a special election to be held en the new applicants are admitted membership. Sam Woolf has been ained as counsel.

It was voted at the meeting that initiation fee of $250 be waived til it could be paid. Monthly dues $25 have been eliminated in prefer-ce of a fixed charge of $5 per re-ised negative, with no charge for sitives as originally planned.

ees No Code Shifts n Way for Chorines

Contending that her organization ɔrked three months in Washington chorus girl provisions in the code, rs. Dorothy Bryant, executive sec-tary of Chorus Girls Equity, stated sterday she did not believe the vernment would make any changes ecting chorines. She added the RA did not approve the provisions the code blindly and knew what it as doing in the matter of wages d hours.

Asked whether she would oppose anges, if any, that may be recomended by the vaudeville committee hich meets Tuesday to make a re-rt of its findings at the general ssion at the Astor last Wednesday, rs. Bryant stated she would. Code uthority will hear the report next riday and is expected to suggest anges to the Division Administator.

pposition to Code Stirring in Denver

Denver, Feb. 2.—There is considerble local opposition to signing the de. Now that the time limit has en extended few will say what they tend to do.

Westland Theatres, Inc., operating t of the state, and Fox Intermoun-in Division, have signed, as have me individuals.

The provision for arbitration of por disputes seems to be stirring up ost of the opposition.

Levey Expects Terms for Theatre Labor Sans Strike

(Continued from page 1)

ing the week to Skouras, RKO, Loew's, Randforce, Manhattan, Springer & Cocalis, Consolidated, Century and Lee Ochs circuits, in addition to the three already reported to have opened negotiations. Levey said the Local would report to the regional and national NRA Labor Boards and circuits who have not recognized its right to collective bargaining by the end of next week.

Wesley Barton, auditor of the International B. S. E. U., is here conferring with Levey and assured him of the International's support of the local in its current campaign for recognition. Headquarters of the local will be transferred from Brooklyn to the Times Square area next week.

New Blue Eagle

Washington, Feb. 2.—Members of the industry shortly will receive from the Code Authority a new Blue Eagle insignia developed by the NRA to differentiate between employers operating under codes and those still adhering to the President's reemployment agreement.

The insignia will show the familiar blue eagle, but between its wings will be the letters "NRA" and under its talons the words "Code (trade or industry registration number) 1934." In smaller type will be the notation "Property of the United States—not for sale" and the patent design number.

Regulations are now being drawn up governing the distribution of the eagles by code authorities.

Seek Liquidation of Para. Theatre Unit

Liquidation of Tennessee Enterprises' indebtedness on the Tennessee, Knoxville, will be undertaken by Paramount Pictures Distributing Corp. under a plan by which the latter will buy up $250,000 of a $435,000 bond issue outstanding. Approval of the plan is sought by Paramount Publix trustees in a petition to be acted on by Referee Henry K. Davis on Feb. 13.

If the plan is approved and if similar terms can be arrived at with other Tennessee Enterprises bondholders, Paramount Pictures Distributing Corp. will be authorized to buy up the remainder of the $435,000 issue, which has been in default for some time. Tennessee Enterprises, a bankrupt, was formerly a subsidiary of Publix Enterprises, which was itself in bankruptcy. It was included in the Publix Enterprises assets acquired by Famous Theatres Corp., new Paramount subsidiary, in December.

Kastner, Silverstone Are Advanced by U.A

United Artists has appointed Lacy W. Kastner managing director in Continental Europe, with headquarters in Paris. He succeeds J. A. Koerpel, who recently resigned. Kastner, who has been with United Artists since 1928, was formerly sales manager for the company in France.

Emanuel Silverstone, connected with the Panama office, has been appointed special representative for London Films, the British producing affiliate of United Artists. He will make his headquarters in New York.

Rosenblatt Speeds East

Albuquerque, Feb. 2.—Division Administrator Sol A. Rosenblatt passed through here tonight on his way to Washington.

Benjamin Warner Is Ill; Family Called

Hollywood, Feb. 2.—Benjamin Warner, father of the Warner brothers, is suffering from so severe a heart attack that members of the family have been summoned west.

Harry M. and Jack are on the ground. Albert left New York on Thursday.

Late this evening Warner's condition was greatly improved.

Harry Charnas and his wife leave New York for the elder Warners' bedside today. Mrs. Charnas is a daughter.

Goldstone to Rest; Has No Film Plans

(Continued from page 1)

next few days for an indefinite vacation abroad and when he returns will go back to Santa Barbara for another examination.

Goldstone has been called in by Majestic officials to help them appoint his successor as production head. Several men are under consideration for the post and one is expected to be named within the next few weeks.

Reports Goldstone will distribute through U. A. were denied by the producer.

Temporary Darkness

Krimsky and Cochran will close the Criterion tomorrow night, thereby ending the run of the English version of "Girls in Uniform." The company plans to reopen the house shortly with another picture, but this is not definite. K. & C. opened the house Dec. 22 with "Emperor Jones" at popular prices.

F. & M. on Air from Roxy

The F. & M. radio department inaugurates a half hour sustaining period tomorrow from the Roxy studios. Personalities in the current stage show at the 7th Ave. theatre will be used in addition to several guest artists. Roger Bowers will handle the microphone over WOR time.

M-G-M Dividend Voted

Metro-Goldwyn Pictures Corp. has declared a regular quarterly dividend of 47½ cents on the preferred, payable March 15 to stockholders of record Feb. 23.

Hope to Start Some Boards On March 1st

(Continued from page 1)

proved if the move is unanimously sanctioned next Friday. Non-industry members for these boards also are expected to be named.

Rosenblatt is expected to make a report on his findings in Hollywood to the Authority at the confab, although no action is contemplated.

Los Angeles, Feb. 2.—Before leaving for Washington, Division Administrator Sol A. Rosenblatt promised local exhibitors that clearance and zoning and grievance boards for Los Angeles will be set up by Feb. 10, but start functioning around March 1.

ITOA Determines to Continue Radio Ban

(Continued from page 1)

ager. Levy stated he could not change the sales policy of the company but added he has advised Wolff to deal with exhibitors individually and try to work out fair and equitable contracts. Levy expressed his willingness to cooperate with theatre owners individually and not as a group.

Members of the unit will visit Wolff next week and attempt to make deals on flat rental terms and report back to the organization at a meeting next Wednesday. If it is found Radio will break down its percentage and preferred playing time terms, the ban will be lifted, the I.T.O.A. stated yesterday.

High Court Upholds Kaplan Conviction

(Continued from page 1)

of members by the lower court several months ago. He is now at liberty on bail. The appeal denied by the higher court yesterday included a denial of Kaplan's petition to have his ouster from the I. A. T. S. E. set aside. A new appeal may be taken during the next few days, Kaplan's attorneys indicated yesterday, although a definite decision on this has not been reached yet, they said.

Court Hears 306 Men On Back Pay Charge

(Continued from page 1)

were discharged because of installation of Allied M. P. Operators. The projectionists claimed the code was violated.

Because these men had gone over the head of Harry Sherman, president of the local, Samuel Birnbaum, attorney for the union, filed notice of intervention in behalf of the ITOA, claiming the men had no right to sue inasmuch as they had no contracts with the theatre. Local 306 argued that only the union had contracts to supply operators and that the suit was a conspiracy against the local.

Decision was reserved.

"Scandals" $10,000 Indianapolis Draw

INDIANAPOLIS, Feb. 2. — "Roman Scandals" ran away with the big money here last week, grabbing $10,000 at the Palace.

"All of Me" was also a heavy grosser with $4,000, up by $1,000, at the Circle. Elsewhere business was just average.

Total first run gross was $26,000.

Estimated takings for the week ending Jan. 27:

"I AM SUZANNE" (Fox)
APOLLO—(1,100), 20c-40c, 7 days. **Gross:** $2,500. (Average, $2,500.)

"ALL OF ME" (Para.)
CIRCLE—(2,600), 25c-40c, 7 days. **Gross:** $4,000. (Average, $3,500.)

"SON OF KONG" (Radio)—4 Days
"EASY TO LOVE" (F.N.)—3 Days
INDIANA—(3,000), 20c-40c, 7 days. **Gross:** $3,500.

"CROSS COUNTRY CRUISE" (Univ.)
LYRIC—(2,000), 20c-40c, 7 days. Stage show. **Gross:** $6,000. (Average, $6,000.)

"ROMAN SCANDALS" (U.A.)
PALACE—(2,800), 25c-55c, 7 days. **Gross:** $10,000.

Names Awards Groups

HOLLYWOOD, Feb. 2.—Inspired by Division Administrator Sol A. Rosenblatt's assertion it is a valuable adjunct to the industry, the Academy of M. P. Arts and Sciences today swung into action by appointing awards committees with orders to push plans for the March 15 banquet. This year's awards are to be based on pictures made between Aug. 1, 1932, and Dec. 31, 1933.

Col. Shelves "Square"

HOLLYWOOD, Feb. 2.—"Red Square," Columbia's Soviet drama, has been tentatively shelved by the studio as a result of a decision that the present market for this type of picture is insufficient to justify a $750,000 negative expenditure. Meanwhile, Lewis Milestone, who was to have directed "Red Square," is collaborating with Jo Swerling on a new story.

Extra Lists Reduced

HOLLYWOOD, Feb. 2.—The extras' committee engaged in reclassifying lists of extra players today determined to reduce the 17,000 now registered to 2,000 who work permanently in films After this task is completed machinery will be set up for spreading work among this reduced number.

Feist Heads for Denver

KANSAS CITY, Feb. 2.—Felix Feist and Allan Cummings, on a tour of M-G-M exchanges, left for Denver this afternoon after conferences with branch managers in St. Louis, Omaha and Des Moines. Feist also conferred with Elmer Rhoden, Fox midwest division manager.

Leo Carrillo to Frisco

DENVER, Feb. 2.—Leo Carrillo left last night for San Francisco where he will broadcast on the Shell Oil program. He appeared in person at the local F. & M. house.

Harlow Yarn Set

HOLLYWOOD, Feb. 2.—Jean Harlow's first since her salary strike will be "Repeal," *Saturday Evening Post* tale. John Considine will start production within a month.

Critics Disagree on "Nana"; All Agree on Sten's Merits

Ten New York and Brooklyn critics reviewing "Nana" yesterday failed to reach any unanimity of opinion on Anna Sten's first American-made picture, although all of them generously praised the Russian actress and regretted she had not been supplied with a more meritorious vehicle.

Consensus of their opinions follows:

American—Samuel Goldwyn was right—Anna Sten is a great star. He spent $2,000,000 to prove it, but this bread cast upon the waters will be returned many-fold by the glad, free-will donations of the mighty public which is destined to be hers. In a single picture, the "Nana" which held a first audience spell-bound at the Music Hall, the Russian Mona Lisa rises to the first rank of picture players and personalities. She stands now with the first six. Another film—and who can tell?****The film has its moments of greatness.***

Daily Mirror—Unprepossessing women, unbecomingly gowned, were chosen for her support, that nobody might divert attention from the splendor of Sten.

The result is a film which is all Anna. And Anna is beautiful and interesting. Dressed in bewitching costumes, photographed by the tenderest of photographers, she is an exciting spectacle. Blonde and plump, her beauty has a lusty peasant quality.***

The picture is an extravagantly handsome one, and Goldwyn's Anna is provocative and dazzling. Everyone will want to see her. And they will be bewitched and entertained by her.

Brooklyn Eagle—Today, after months of anticipation, we are called upon to appraise not only the merits of Mr. Goldwyn's prized star but the virtues of her first American screen vehicle. And it is with sincere regret that we are compelled to return, in both cases, a verdict that is mainly unfavorable.***

Her performance in "Nana" is uneven, uncertain, sometimes remarkably amateurish. Subtlety is not yet one of the things she has acquired in the course of her Hollywood training, and although her English is almost entirely devoid of an accent, her voice is not exactly one to stir her listeners' emotions.***Still an actress of a certain accomplishment. For her American screen debut, she deserved a better, a more inspiring vehicle.

Daily News—Miss Sten's blonde, Slavic beauty is an effective subject for the camera. She is lovely throughout the picture and she wears the long, elaborate clothes of the early '70s with distinction. She manages to bring glamour and interest to the characterization of Nana but she fails to arouse any real sympathy for her.***

The picture has been beautifully produced and an excellent cast surrounds the star. Richard Bennett gives a fine restrained performance as the old theatrical producer.

Evening Journal—*** a glamorous, dazzling beauty, brilliantly launched by a master showman.***

And now, after almost two years of intense study and work, "Nana" is here. And it looks as though Sam Goldwyn's faith in his star and his picture is about to be royally justified at the box-office.

Anna Sten is lovely to look at. She has talent and charm and grace. She has been exquisitely photographed and cortumed and for her introductory picture she has been given the colorful setting of Paris in 1868. Her accent is piquant. She sings one song, and a very tuneful one, in the picture, and her singing voice is vibrantly husky.

Herald Tribune—*** Goldwyn, who has spent two years of his valuable time, several million dollars and a number of sleepless nights in a fine, grim determination to establish Miss Sten as a distinctive Hollywood personage, was slightly, if understandably, inaccurate when he attempted to describe his carefully nurtured star as one of those lyric, enigmatic, slightly fabulous heroines of the neo-Garbo school.***

The picture, which Miss Sten begins to celebrate the emergence of gorgeous peasant type as screen heroine, is hardly worthy of her.***Goldwyn***has obviously attempted so carefully to provide for his star a vehicle that would establish her among the film fans that he has ended by overdoing the plot requirements of her vehicle.***

The film is quite handsomely produced, but I fear that pictorial lavishness cannot disguise the fact that the story is done amid so much artificiality that it never succeeds in being real or touching.

Post—The high expectations engendered by Miss Sten's appearances in the German films, "Trapeze" and "The Brothers Karamazov," has been eminently fulfilled in her first Hollywood production, establishing beyond doubt that she is not only an extraordinarily equipped actress but a sumptuously alluring personality.***

It would be pleasant to report that the vehicle was worthy of the star, but it unfortunately is not.

Sun—It is melodrama of the old romantic school, a little stagy, more than a little unreal, but on the whole effective enough.*** Pictorial beauty this picture has, and a pleasant addition to the Hollywood roster of foreign actresses. But, and this is almost unprecedented in a Goldwyn production, it sadly lacks originality***even Anna Sten's sleek charm could not make it seem new. Story and characters were not particularly helped by the occasional stilted quality of the dialogue.

Times—This Nana captivates one's attention, but unfortunately the story in shadow form has not been worked out with the necessary dramatic impact.***

It is, however, a picture that has a definite, arresting quality when certain persons are occupying the screen.

Through Miss Sten's efficiency and charm and the splendid portrayals of such players as Mr. Bennett, Mr. Owen and Mr. Grant, it offers a fair measure of entertainment, and even though it wanders far from Zola's work, sometimes catches the illusion of Paris in bygone days.

World-Telegram—*** Miss Sten's first Hollywood-made picture,***is a mild, overwritten and leisurely romantic drama, pretty, but also pretty thin. Indeed, it suggested mainly that once again a really great actress had been scratched by Hollywood and that the result was less acting than a series of beautifully photographed poses.***

But in spite of the wordiness of "Nana" and its musty story and pedestrian movement, Miss Sten's ability is not wholly submerged. Indeed, she emerges from it more beautiful and lustrous than ever and occasionally has moments when she acts with finer authenticity than ever.***

CHICAGO, Feb. 2.—"Nana" did almost $3,800 on Thursday, its opening day at the United Artists.

The same advertising campaign used in New York was launched here, but along more modest space lines in view of the fact there are fewer dailies in town than in New York.

The *Chicago Tribune*, shattering a precedent, ran its review on the first page.

That Gal "Nana" Is Stirring Up a Fuss

(*Continued from page* 1)

Loew Circuit: "We have a contract for the picture after it plays the Music Hall."

The Sten picture at the Music Hall is one thing. That's a first run. The Sten picture at the Center is the same thing. That's merely a continuation of the first run, as United Artists views it. The Loew circuit is reported feeling quite differently about it, resting its case on the stand the Center is not a first run, but part of the RKO city circuit and, therefore, competition to the Loew houses who get and want the picture under franchise.

So the situation stood last night.

Educ'l Signs Ritzes

Educational has signed the Ritz Brothers to appear in a short. Production starts in two weeks under supervision of Al Christie. There are options for five more featurettes. Leo Morrison's office handled the deal.

The Ritz boys opened a week's engagement at the Paradise yesterday.

Fox Seeks Chinese Government's H

HOLLYWOOD, Feb. 2.—On the of M-G-M's failure to gain pe sion from the Chinese governme film scenes of "Good Earth" in country, Fox representatives in C are hastening to pave the road Clyde E. Elliott's "Yellow Wa unit, slated to leave for Asia a early date.

Elliott will select an all-native and it is his intention to turn o production that will glorify the nese race. The M-G-M film thumbs down because authorities ured it put China in a bad light.

Milwaukee Puts Ba On All Walkatho

MILWAUKEE, Feb. 2.—The Com Council's judiciary committee has proved a measure prohibiting the s ing of marathon dances and wa thons in the city pending receipt o opinion from Max Raskin, city torney.

Ben Koenig, secretary of the Board of Trade, appeared before committee to denounce marathons walkathons as "detrimental to le mate places of amusement which vide employment for people."

Seek Theatre Receive

WHEELING, W. VA., Feb. 2.— pointment of a special receiver the Capitol, ace theatre here and of the finest in the upper Ohio Va is asked in an equity action in Ohio county circuit court. Foreclos of an indenture so that the prop might be sold by a special commissi er also is petitioned.

The action is brought by the Cl land Trust Co., Rudolph A. Ma trustee. The defendants are Cap Theatre Co., Capitol Enterprises I Albert W. Laas, Wright Hu trustees. The plaintiffs claim the fendants are in default of bo amounting to $480,000 and interes 6½% since July 1, 1933.

Julius Greenstone Buri

ROCHESTER, Feb. 2.—Funeral se ices were held today for Julius Gre stone, one of the organizers and p presidents of the Rochester M. P. I hibitors' Ass'n. He was 72 years Greenstone, who had been ill c a few days, died at Strong Memo Hospital here. Until his retiremen few years ago he was owner and m aging director of the Empire.

Fitelson On U. K. Dea

Negotiations for American d tribution of a limited number British pictures in return for d tribution of Amity pictures abr will be undertaken by H. Willi Fitelson, attorney for Amity, w sails for England today on the *Ile France*.

Para. After Baer Agai

HOLLYWOOD, Feb. 2.—Paramount again dickering with Max Baer fo role opposite Mae West in "It Ai No Sin." The prizefighter-actor is his way from Miami and is expec to be set for the picture some ti next week.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 35. NO. 30 NEW YORK, MONDAY, FEBRUARY 5, 1934 TEN CENTS

. A. to Have 36 Features Next Season

henck Says 14 Will Be Produced in England

Hollywood, Feb. 4.—United Artists scheduled 36 features for next son, Joseph M. Schenck said on his ival here from New York last ht.

The list includes 12 from 20th Cen- y, four from Samuel Goldwyn, four m Reliance, 14 from U. A.'s British liates, London Films and British & minion, and two from an indepen- t source not yet selected, according Schenck.

Schenck spoke enthusiastically of duction progress noted at English dios on his recent European trip, ing which he negotiated the deals next season's 14 from there. He d "great things can be expected m English product from now on." affirmed recent reports of a film ustry boom in England, brought k within recent months by Sidney

(*Continued on page 3*)

l Lichtman Again Favors Price Jumps

Kansas City, Feb. 4.—Recollec- ns of the "flexible admission" doc- ne advocated by Al Lichtman sev- l seasons ago were revived here en the United Artists distribution ef declared while passing through e en route to Hollywood that he ll believed in increasing theatre les wherever they are too low in ation to the merit of product being yed.

He said he hoped that Loew's would st the scale of the circuit's local se, the Midland, which plays U. A. duct.

"Theatres with less than normal ad- ssions," Lichtman declared, "could se them on big pictures and do the ne volume of business they are now ng at the sub-par scales. Low ces," he said, "do not attract any ditional patronage for the 'turkeys.'"

lore Reel Houses If Embassy Clicks

Newsreel Theatres, Inc., new com- ny formed to take over the Embassy a newsreel house beginning next turday on a 45-minute show basis, 25 cents straight and with Pathe ws clips exclusively, plans other uses along identical lines if the first nture clicks. So states F. C. Wood,

(*Continued on page 3*)

Admits Having Nazi Picture; Hazy on Plans

Bavarian Pictures Head Talks of "Offers"

"S. A. Mann Brand," first of the Nazi films to reach this country, will be handled domestically by Bavarian Films, a company hitherto unknown in the New York trade with offices at 489 Fifth Ave.

"It's a fine picture," a Mr. Hermann voluntarily offered on Saturday. "We expect to show it on Broadway and have many offers."

Pressed for specific detail as to what those offers were and how the picture will be distributed, Hermann was alternately hesitant and vague, at the same time attempting to create the impression a distribution outlet will not be difficult to line up.

He first denied knowing anything

(*Continued on page 3*)

German Industry Is Reported in Bad Way

Washington, Feb. 4.—Reorganization of the German film industry by the government and export losses have put the business in a bad way, reports Trade Commissioner George R. Canty to the M. P. Section of the Bureau of Foreign and Domestic Commerce.

Ufa barely made running expenses last year, the report states.

"It is apparent," Canty declares, "that the existing market for German films is completely out of line with the expenditure of producers leveled on the pre-sound film period."

Committees Are Set For Academy Awards

Hollywood, Feb. 4.—Committees to have charge of the Academy's annual awards will include:

Producers—E. H. Allen, Emanuel Cohen, Harry Cohn, Walt Disney, B.

(*Continued on page 3*)

Specifications

New Orleans, Feb. 4.—Gordon Kirst, leader of the orchestra at the Roosevelt Hotel, in announcing the arrival of a new member of his family, makes use of this form:

Kirst's new 1934 model now is on display. Designer, Gordon Kirst, production manager, Kathryn Kirst. Specifications, boy. Model, Gordon Kirst, Jr. Arrival, Jan. 15, 1934. On display, 4,146 Cleveland Ave. Weight, nine pounds, 12 ounces. Wheel base, 17 inches. Bumpers, rear only. Automatic starter. Free squealing. NRA—"We've done our part."

Production Slows; 28 Films in Work

Hollywood, Feb. 4.—Studio activity continues below normal with only 28 features and seven shorts in work, as against 22 features, 13 shorts in preparation ready to start within the next two weeks. Already completed and still in the cutting rooms are 47 features and 22 shorts.

M-G-M has five features and one short in work. This leads the field among the majors. They also have but one feature and one short in final preparation, while 12 features and two shorts are reported in the cutting rooms.

Paramount follows a close second with six features in work, two in preparation and four cutting; Warner

(*Continued on page 3*)

Ohio Exhibitors May Merge to Fight Tax

Columbus, Feb. 4.—Plans to merge into one state-wide independent organization in a united effort against the 10 per cent amusement tax recently voted in Ohio were discussed at a meeting of representatives of the Ohio Valley Exhibitors Ass'n., the Inde-

(*Continued on page 3*)

Films Best of Investments, Says Giannini

Points Out All Studios Have Stayed Open

Hollywood, Feb. 4.—"Film business is the best in the world and will always be a good business for legitimate capital investment," Dr. A. H. Giannini, chairman of the executive committee of Bank of American National Ass'n, proclaimed last night on his return here from New York.

"The best and the most recent indication of the industry's stability," he said, "is that every studio carried on uninterruptedly during the depression, while plants in other industries were being dismantled and abandoned. This industry's rewards from enterprise and intelligence are great," he declared. He asked in what other industry it would be possible for a new company, such as 20th Century, to make "such rapid strides and achieve so successfully" within the brief period of a few months.

"Years ago, when the industry was growing," Giannini recalled, "I preached against its going into the stock jobbing business and branching out into alien fields. The crash came

(*Continued on page 3*)

Loew's Quarter Net Increases Over 100%

Loew's, Inc., profit statement for the three months ending Nov. 23 shows a jump of more than 100 per cent over the same quarter for 1932.

The company's net profit after subsidiaries' preferred dividends, depreciation and taxes, was $1,594,608. For the same period in 1932 the net was $741,910.

Beatrice Lillie to Do Durante's Stuff

Columbia plans to make a series of female Jimmy Durante pictures and has signed Beatrice Lillie to simulate the M-G-M comic. Miss Lillie returns from abroad within the next month and will head straight for the coast where she will make a number of features, and possibly some shorts.

Warners to Expand Vitaphone Studios

Warners will close the Vitaphone studio in Brooklyn within the next five weeks to erect a new sound stage. Production will be halted for five weeks during the construction.

Key City Grosses Hold on; 135 Houses Do $1,348,517

National theatre business, as gauged by box-office reports to Motion Picture Daily from 22 key cities, held its own during the theatre week ending Jan. 26-27 if it showed no appreciable gains. One hundred and thirty-five houses reported a bulk take of $1,348,517 as against $1,305,267 rolled up by 136 houses the preceding week.

Cities currently reporting a gain are Boston, Cleveland, Denver, Des Moines, Detroit, Indianapolis, Kansas City, Montreal, New York, Oklahoma City,

(*Continued on page 8*)

MOTION PICTURE DAILY

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House Legislative Slate Clear Soon

WASHINGTON, Feb. 4.—Unless the President asks for additional legislation of a major nature, the House of Representatives will be ready to adjourn the session by the end of February, it was declared by Speaker Henry T. Rainey.

It is not expected, however, that the Senate, where debate is unconfined, will conclude in anywhere near as short a time.

All that remains in the House are four appropriation bills, the tax bill and reciprocal tariff legislation. Once these are out of the way, the House will have nothing further to do.

As a result of the prompt disposition expected to be made of legislation in the House, protagonists of investigations of various sorts are preparing to seek use of the waiting time for their pet projects. Unless the House leadership stands firmly against proposals of this nature, it is possible a strong effort may be made to secure investigations of the film industry.

Aylesworth Due Today

M. H. Aylesworth returns today from Chicago where he has been spending the last week. He will attend the Code Authority session Friday.

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Insiders' Outlook

SEVERAL majors, having heard the talk about trimming production for 1934-35 by other majors, figure on stepping into the breach with hikes in their own schedules. So it goes, this business of keeping the industry's annual output at its set figure, regardless of market requirements. That poises a question. In how many other businesses does the factory fashion the styles for the sales department to do the best it can with the product that results? . . .

▼

Is this funny or no? If the NRA determines not to defend members of the Authority in the Congress (Allied) theatre suit, including Nate Yamins, an Allied director, it then follows an appropriation set aside to counter the action will be borne proportionately by all those who have signed the code, including Allied men themselves. . . . Wonder what Rosenblatt will tell General Johnson and even the President about his 10 days in Hollywood? It would make an interesting serial. . . .

▼

Much on tap for the forthcoming session of the Authority, down on the books for Friday at the New York Athletic Club. Looks like a stirring day from many angles, one being those clearance and groaning — our error—zoning boards. There is no certainty, you should understand, that the personnel of even the handful talked about will be named at this meeting. . . . Phil Goldstone ups to deny he has a releasing deal on with U.A. . . .

We could say we told you so. As a matter of fact, we are. Meaning confirmation of the Cooper yarn that he would step down as head of Radio production in preference to a unit of his own. It's happened, as you must have read exclusively in MOTION PICTURE DAILY on Saturday. . . . Now that this morning marks the return to Washington of Division Administrator Rosenblatt from the warm Hollywood climate, you may hear more about A. Lawrence Lowell and Code Authority. Any day now. . . .

▼

The Blue Eagle is about to spring an offspring. All for the purpose of differentiating between employers operating on their own industry code and those who still cling to the President's blanket agreement. Same eagle with more talons, is the idea. . . . That reminds Fred Stone told the Ampa the other day what with three daughters he has hauled down the stork and raised the eagle. . . . Old-timers getting a thrill: Joe Schenck and Sam Goldwyn, accustomed to California sunshine, braving the snow to watch the opening crowds pile into the Music Hall. The occasion? "Nana," of course. . . .

▼

Gilda Gray, the shimmy one, is the target in a story that hits the desk from the Middle West. It's a story and it may not be true, although amusing. It has to do with a week she played at one of the B. and K. houses in

(*Continued on page 10*)

Warner Trading Heavy on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	26½	24⅞	26½	+1⅜	600
Consolidated Film Industries	5	4⅝	4¾	+ ¼	1,000
Consolidated Film Industries, pfd	15	14⅝	15	+ ¾	2,600
Eastman Kodak	91⅜	90¼	91⅜	+1⅞	800
Fox Film "A"	17⅜	15⅝	17	+1¼	7,800
Loew's, Inc.	31	28⅞	30⅞	+2⅛	13,000
Pathe Exchange	2⅞	2⅝	2⅞	.....	3,000
Pathe Exchange "A"	14½	14	14½	+ ¼	1,500
RKO	3¼	3	3¼	+ ¼	1,300
Universal Pictures, pfd	25	24	25	+1	20
Warner Bros.	7¾	6⅞	7¾	+ ¾	39,900

National Screen Slips ¼ on Curb

	High	Low	Close	Net Change	Sales
National Screen Service	16¼	16⅛	16¼	— ¼	200
Technicolor	10	9⅞	10	.....	200
Universal Pictures	3	3	3	.....	100

Keith Bonds Fall 5 Points

	High	Low	Close	Net Change	Sales
General Theatres Equipment 6s '40	6¾	6¾	6¾	+ ¼	3
General Theatres Equipment 6s '40 ctf	6½	6½	6½	+ ½	7
Keith, B. F., 6s '46	61½	60	61	—5	21
Loew's 6s '41 ww deb rights	95	95	95	.....	4
Paramount Broadway 5½s '51	37	35¾	37	+1¼	8
Paramount F. L. 6s '47	38	37	38	+2	24
Paramount Publix 5½s, '50	39	36½	39	+2½	13
Pathe 7s '37 ww	88¼	88¼	88¼	+ ¼	1
Warner Bros. 6s '39 wd	58	54½	57	+2½	96

Purely Personal

BEN BLUE, now working on sixth Vitaphone short, sails on *Manhattan,* March 3, for Lon While abroad he will appear at Cafe de Paris and the Pallad where he has been booked for weeks.

HARRIETT SMALL, daughter of W LIAM SMALL, Brooklyn exhibitor honeymooning in Miami following marriage last week to EDWARD WOLLNER of Lord & Thomas.

DICK WALLACE is now domicile Essex House and has settled down what apparently will be a long York sojourn.

SAMUEL GOLDWYN was down laryngitis Saturday. He plans to for Russia this week, but may p pone the trip about a week.

ACHMED ABDULLAH, who has doing scripts on the coast for sev months, returns tomorrow on *Santa Rosa.*

JACK HARROWER, otherwise kn as Phil M. Daly, returns to his at *The Film Daily* this morning. has been ill for many weeks.

MOFFAT JOHNSTON is being te by M-G-M for one of the lead "The Barretts of Wimpole Street."

GRAND DUCHESS MARIE and deal with Paramount on "Th Day Princess" have parted.

MILTON C. WEISMAN, I.T.O.A torney, is Miami-ing.

L. J. SCHLAIFER is back from a tour of U. A. exchanges.

GRAD SEARS is heading north that vacation in Florida.

Bachmann Closes Offi

J. G. Bachmann, who returned to coast last week to recuperate the grippe, has closed the New office of Preferred Pictures for to eight weeks. Bachmann expect return in about two months to res negotiations for a general sales ager to handle the 12 contempl productions.

Col. Tim McCoy Sail

HOLLYWOOD, Feb. 4.—After finis "Storm at Midnight" at Colum Col. Tim McCoy sailed for a weeks' vacation in Honolulu.

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JOHN W. HEATH, *Manager*

A. to Have 36 Features Next Season

(Continued from page 1)

ient of Fox, and Carl Laemmle of ersal. Elsewhere in Europe, how- Schenck said he found conditions "

henck reported that Jack Bu- an, English player, will arrive in country in May to make a picture J. A., following completion of a re to be made for the company in and.

said that Maurice Chevalier will a picture in England for U. A. l on a story of the life of Mar- Ney of France, on the completion s current picture for M-G-M.

mmittees Are Set r Academy Awards

(Continued from page 1)

Lahane, Winfield Sheehan, Irving berg, Walter Wanger and Jack Warner; actors—Lionel Atwill, ner Baxter, Marion Davies, Leslie ard, DeWitt Jennings, Mary ford and Lewis Stone; directors oyd Bacon, Frank Capra, Cecil B. ille, Frank Lloyd, Robert Z. ard, Mervyn LeRoy, Norman og, King Vidor and Henry King; nicians—John Arnold, George es, Carl Dreher, Harris Ensign, rt Haas, Frederic Hope, Nathan nson, Wesley Miller, J. M. Nicko- Max Parker, Van Nest Polglase James Wilkinson; writers—Jack ningham, Howard Green, Grover s, William Slavins McNutt, Jane fin, Robert Riskin, Carey Wilson Waldemar Young.

ore Reel Houses If Embassy Clicks

(Continued from page 1)

aging director of the company, on Saturday, added activities will oncentrated in New York.

ood stated he has been in the film stry four years, confining his vities to date to production of com- cial pictures and that the Embassy esents his maiden effort in theatre ration. Newsreel Theatres, Inc., s a five-year lease on the house an option privileging the company xtend it to 10. W. French Githens, stant editor of Pathe News, is ident of the operating company; old Wondsel, editor-in-chief of ne News, is vice-president and od, secretary.

06 Men Ordered Back

ifty-five Local 306 operators were ered returned to 11 New York atres Saturday, thereby displacing nbers of the Allied M. P. Oper- s' Union, as the result of a decision ded down by the Regional Labor rd.

"Moulin Rouge" Set

Moulin Rouge" goes into the oli Wednesday. The "Moulin ige Caravan" sponsored by U. A., Century and Socony-Vacuum Oil play an important role in the ex- tation campaign.

Another Rumor

Hollywood, Feb. 4.—Joseph M. Schenck is "uncertain" whether Charles Chaplin will make a picture for U. A. next season, due to the fact that Chaplin is still working on a preparation of the one he promised the company for this year. If one is forthcoming, however, it will be a "silent," said Schenck.

The U. A. president indicated that because of the uncertainty of Chaplin's plans he was not banking on a picture from him.

"You know Charlie," he added smilingly.

Production Slows; 28 Films in Work

(Continued from page 1)

Brothers shows four, three and nine; Fox, three, three and five; Columbia, three, one and three; Radio, two, six and five, and 20th Century, zero, one and one. The independent group has five features in work, five preparing and eight cutting.

Short subject producers report M-G-M with one short in work, one preparing and two editing; Roach one, three and three; Universal, zero, one and one; Columbia, zero, zero and four; Radio, zero, two and five, while the independents have five, six and seven.

Ohio Exhibitors May Merge to Fight Tax

(Continued from page 1)

pendent M. P. Exhibitors of Ohio and the M. P. Theatre Owners of Ohio.

Elmer Shard, Charles Fine and Willis Vance of this city, members of its board of directors, represented the Ohio Valley group. Moe Horwitz and Henry Greenberger, Cleveland, and Nat Charnas, Toledo, represented the second group, of which they are directors. J. Real Neth, Max Stearn and P. J. Wood did the talking for the M. P. Theatre Owners of Ohio.

The discussion was adjourned until Monday evening, when definite and final plans will be consummated.

Fox Busy on Four; Six to Start Soon

HOLLYWOOD, Feb. 4.—Production is speeding up at Fox with four pictures in work and six to begin shooting within the next three weeks.

Those set for production this month are: "Odd Thursday," starring Warner Baxter, and "Goldrush of 1933," both to start on Feb. 12: "Now I'll Tell," starring Spencer Tracy, and "Manhattan Love Song," starring James Dunn and Claire Trevor, will begin Feb. 19; "Springtime for Henry" and "The World Moves On" will begin Feb. 20.

Place on Job Again

Herman Place, who has been handling reorganization for various Fox theatre units, including FWC, is expected back at his desk today following a bad cold which has kept him in bed for the last four days.

Films Best of Investments, Says Giannini

(Continued from page 1)

and my warnings were justified. If the film industry stays in its own field and cultivates its own vineyards, it will reap success because it is sound, stable and legitimate.

"I consider it a good field for investment because it has something the public wants and is willing to pay well for, and because it is the only business for whose merchandise the public pays cash even before seeing it."

"I have full faith in the industry," Giannini concluded, "and I have confidence in its future. I have made many film investments, all on a sound, legitimate basis, and have never been 'stuck'. I am confident that it will remain a splendid field for profitable investment.

"Most companies now are in able hands, but there could be improvement in management in a few instances. One of the most promising factors for the industry's future is that its companies have placed competent executives in charge of the studios. When the industry emerges from its receiverships and bankruptcies it will rest on a foundation of unparalleled solidity."

Warner on Coast to Take Up New Films

HOLLYWOOD, Feb. 4.—Albert L. Warner, vice-president of Warners, in charge of distribution, arrived from New York tonight. While here he will confer with Harry M. and Jack L. Warner. He said he would stress the importance of production elements which make for "big attractions."

He referred to "Anthony Adverse" in particular, which, he said, he wanted to see "well launched," and added that he had in mind some finishing touches to "Wonder Bar."

"Exhibitors will pay more for big attractions as against 'program' pictures," he said. He said that it was his purpose to assure production of the former next season, as well as to see that the present schedule is wound up auspiciously.

Illness of his father, Benjamin Warner, was one of the principal reasons for his trip west at this time.

Majors to Get Pay From R. I. Receiver

PROVIDENCE, Feb. 4.—Claims totaling $41,000 against Rhode Island Theatres, Inc., were recommended by Kirk Smith, receiver, in a report filed before Judge Churchill in Superior Court. The firm formerly operated theatres in Providence, Pawtucket, Woonsocket and Newport. The court was told that assets of the corporation total $12,000. Hearing on allowance of claims against which objections have been made was set for Feb. 14.

In addition to several claims totaling around $12,000, Smith recommended the following: Paramount Pictures, $13,172; Social Amusement Co., $4,000, and RKO Distributing Co., $877.

Admits Having Nazi Picture; Hazy on Plans

(Continued from page 1)

about the Nazi film which is reported to narrate the triumph of Hitlerism over Communism and which precipitated a near disorder when 500 men and women stormed and picketed the Taylor Street Theatre, Portland, Thursday, as the picture opened in the Northwest.

"Wait until you see it on Broadway," Hermann urged.

"See what? You haven't told us what we may expect to see," a MOTION PICTURE DAILY reporter replied. Gradually, Hermann broke down and admitted that among the 25 German-made pictures which he said he had was "S. A. Mann Brand."

The New York censor board on Saturday reported that "S. A. Mann Brand" had been submitted to it for licensing by Bavarian Films, but declined to say what action it had taken. The New York censor board reports its decisions on individual films only to the original applicant for a license.

The German consulate here when first called reported that it knew of the picture and the disturbance its exhibition had created on the Pacific Coast, but said that neither Bavarian Films nor a Mr. Hermann, associated with the picture, were known at the consulate. On a voluntary inquiry of its own the consulate later reported that it had learned Bavarian Films had a "number of other pictures, had been established here for some time and was headed by a Charles B. Herrlitz."

Toronto Pickets Go Back on Sidewalks

TORONTO, Feb. 4.—Hostilities have been renewed between union operators and independent exhibitors. Pickets have been returned to the theatres employing members of the Canadian union not recognized by the I.A.T.S.E.

There has been no picketing since last summer because of the arrest and conviction of the picketers.

W. P. Covert, international vice-president, says he expects the pickets to be arrested, but insists he will fight "unfair conditions."

Buenos Aires Shows 301 American Films

WASHINGTON, Feb. 4.—Of 404 films shown in Buenos Aires during 1933 a total of 301 were American, according to reports from Vice Consul John C. Pool to the M. P. Section of the Bureau of Foreign and Domestic Commerce.

Germany was represented with 39; France, 31; England, 13; Italy, 11; Argentine, six; Spain, three.

Grand Opening Travesty

HOLLYWOOD, Feb. 4.—Production will start this week on a travesty on grand opera, featuring a cast of outstanding names in the comedy field at the Roach Studio. The picture has been planned on a lavish scale for two-reelers and will have Leigh Jason at the directorial helm.

Warners' 'Wonder Bar' Cast Sets Multiple Star Record

With the largest cast of stars, featured players, and chorus beauties ever gathered in the Warner Bros.-First National studios, "Wonder Bar" stacks up as the most overwhelming screen spectacle yet attempted by the company that stood the industry on its collective ear with "Footlight Parade," "Gold Diggers," and "42nd Street."



Kay Francis As She Appears in "Wonder Bar"

Precedent Broken

With "make it different" the studio byword, Warner Bros. started building box-office values immediately upon purchase of the story. The studio aimed to break precedent and set records in all departments, as a result of which the talent division comprises a "Who's Who" of Hollywood's greatest.

Kay Francis appears as the glamorous, capricious, amorous Parisian wife;

Al Jolson as the night club entertainer;

Dolores Del Rio as Inez, the exotically alluring night club dancer;

Ricardo Cortez as Inez's partner, "matinee" idol and gigolo;

Dick Powell as the young singing band leader;

Hal LeRoy as the kid hoofing marvel;

And **Ruth Donnelly, Guy Kibbee, Hugh Herbert, Fifi d'Orsay, Kathryn Sergava, Henry O'Neill, Merna Kennedy, Henry Kolker, Mia Ichioka, Pat Wing, Clay Clement** and many others in varying dramatic and comedy parts.

Chorus Doubled

In addition to the marquee personalities, Warners commissioned Busby Berkeley to double his quota of beautiful girls for the ensemble spectacles. Instead of the gorgeous group of two hundred used in "42nd Street," "Gold Diggers of 1933," "Footlight Parade" and "Fashions of 1934," Berkeley put four hundred to work in "Wonder Bar's" imaginative chorus sequences.

Warners' fortification of "Wonder Bar" with a long list of selected stars is regarded in Hollywood as indicative of specially keen business foresight, the trade holding that the picture's sale to the public is facilitated for the exhibitor, giving him the greatest opportunity in film history to use the fine art of ballyhoo.

'Wonder Bar' World-Famous as Stage Hit

"Wonder Bar," Warner Bros. extravaganza to exceed its own successful extravaganzas, was one of the most successful of this century's stage plays in this country, with a two-year road tour, plus a solid sell-out year in New York, behind it. In Europe, "Wonder Bar" set enviable records in Vienna, Paris, Berlin, and London.

Director Of "42d Street" Scores Again

Lloyd Bacon's record of "box-office champions" is due for an addition, according to preview reports on "Wonder Bar" from Hollywood. Bacon directed "42nd Street," one of 1933's "Ten Best" in the FILM DAILY Poll and a champion for two successive months in MOTION PICTURE HERALD's national box-office survey.



LLOYD BACON

Bacon also directed "Footlight Parade," which achieved similar "best b. o." renown. In addition to directing two of the industry's most successful musical extravaganzas, Bacon has directed a half dozen of the money-making Joe E. Brown films.

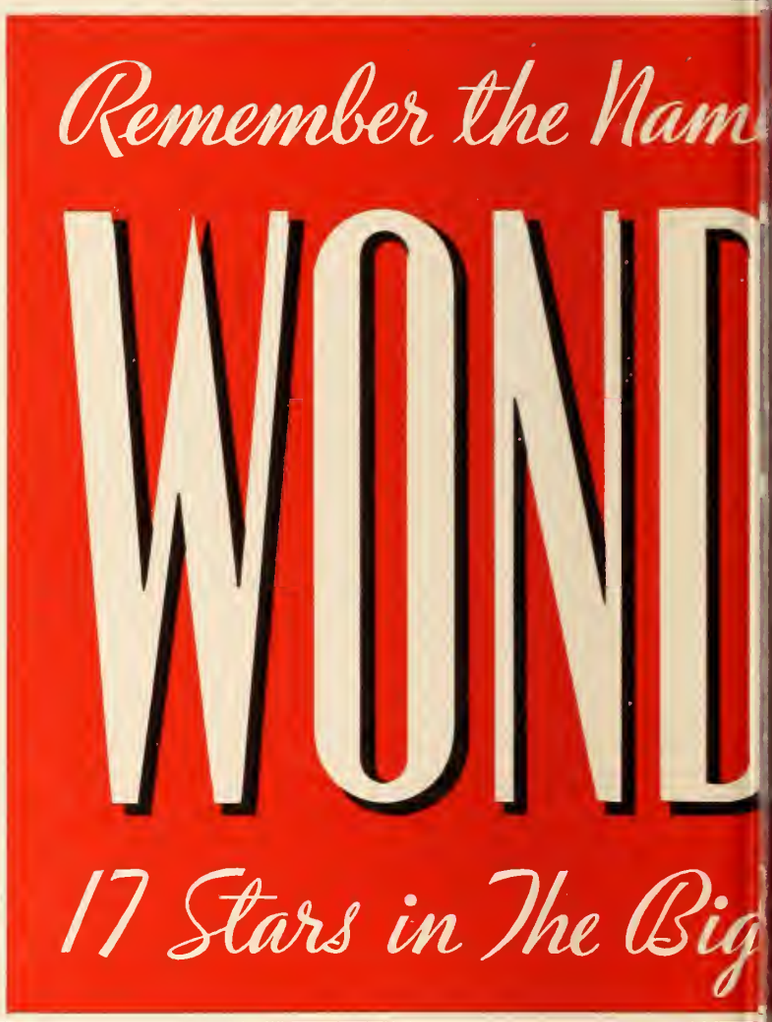
'Wonder Bar' Tango Is New Dance Craze

"The Gaucho," something new in the way of dances, is introduced on the screen in "Wonder Bar," Warner musical, by the stellar team of Dolores Del Rio and Ricardo Cortez.

Representing a blend of the famous Apache dance of Paris and the Tango of the Argentine, "The Gaucho" is danced to the "Tango Del Rio," a Dubin-Warren melody dedicated to the beautiful star. Jose Fernandez, coach of the ballet for the Hollywood Bowl's presentation of Ravel's "Bolero," directed Miss Del Rio and Cortez. Coast dancing masters are enthusiastic over the possibilities of the routine for popular ball-room dancing.

Mammy!

One ton of black grease paint was used by Warner Bros. for the "Goin' To Heaven On A Mule" number of "Wonder Bar." Number marks Al Jolson's return to blackface.



New High For Magnificence In 'Wonder Bar' Settings

Film set construction reached a record high during the filming of "Wonder Bar" at Warner Brothers' Burbank studios. The largest indoor construction yet attempted in Hollywood, covering an area equal to two city blocks, was built to house the Busby Berkeley chorus conceptions.

The largest set, representing the enormous Parisian night club in which the action of the story transpires, required enough lighting to illuminate a city of twenty thousand people. All four walls of the cafe were constructed in order that cameras might "pan" around to cover the richly dressed patrons as they danced and dined.

Five weeks were needed for the shooting of the "Wonder Bar" story sequences. Five additional weeks were taken in filming the elaborately imaginative Berkeley spectacles.

All phases of such a night club as the "Wonder Bar" were built into the set, including fifteen rooms, main bar, dance floor, orchestra platform, foyer, kitchens, business offices and dressing rooms. The art department decorated the set in modern style and the furniture was especially created for the picture, even to the seventy-five bar chairs.

The night club set was almost equalled in size by the sets constructed for Busby Berkeley's "Goin' To Heaven On A Mule" and "Hall of Mirrors" ensembles, all the sets for the picture covering 40 per cent of the affiliated Warner and First National studios' stage space.

Special Material for "Bar"

A 10-day newspaper fictionization of "Wonder Bar," complete with illustration, is being made available in mat form by Warners. Orders are being accepted at the home office now. Also available is a 10, 15, 20 or 30 minute radio sketch.

advertisement

advertisement

Dubin-Warren Tunes Already Are Radio Hits

Al Dubin and Harry Warren, liters of the screen's most success- songs, collaborated again on the sical score of "Wonder Bar," turn- out six hits for Dick Powell, Kay ancis, Al Jolson, and the Busby rkeley chorus creations. A spe- lly-planned music campaign is es- tablishing the numbers in a national advance build-up, with Guy Lombardo, Paul Whiteman, the Mills Brothers. and other first-raters plugging them.

Looking for something different in melodies and lyrics, the writers of the "42nd Street" and "Gold Diggers of 1933" hits produced the title number, "Wonder Bar," as well as "Vive La France," "Don't Say Goodnight," "Goin' to Heaven on a Mule," "Why Do I Dream Those Dreams" and "Tango Del Rio," the latter dedicated to Dolores Del Rio, who dances the number with Ricardo Cortez.

In addition to the studio-created tunes, Jolson sings the famous Russian air, "Dark Eyes."

nember the Names!

R BAR

from Warner Bros.

WB Plans Gigantic Easter Send-Off for 'Wonder Bar'

Easter Week has been definitely set Warners for nation-wide pre-release ngagements of "Wonder Bar," ac- ording to home office announcement, nd selected bookings for this period re now being accepted. Preceding ese dates there will be simultaneous orld premieres in New York, Paris, ondon and Vienna on February 21st, s part of a gigantic plan for an all- me high in pre-release campaigns.

The New York opening at the trand Theatre will be attended by the most elaborate ceremonies ever arranged for a stage or screen premiere. The majority of the film's stars will come East for the occasion and a nation-wide broadcast from the stage of the Strand will be participated in by celebrities in the audience. Formal dress will be the order and Manhattan's social and theatrical elite will also participate.

Seats for the New York opening are scaled at $5 top, with a share of the proceeds to charity.

advertisement

Berkeley's Lavish Spectacles for Wonder Bar Stress Novelty

'Wonder Bar' Sets New Style In Screen Fare

"Wonder Bar" is the first screen presentation of its type, according to Warner Bros.-First National, the producers. The story, described as "intimate," is said to introduce an entirely new technique in presentation, including the theatre audience as participants in the action. With Al Jolson, master of intimacy, pacing the show, the guests at the "Wonder Bar," a huge Parisian night club and popular rendezvous, sit in and watch the story unfold. It has, according to preview reports, the effect of "taking the audience where everything is happening."



DOLORES DEL RIO

The story of "Wonder Bar" is based on the famous international play by Karl Farczas and Geza Herczeg, which played in the leading capitals of Europe and was then imported to New York for a long run. Earl Baldwin, one of Hollywood's top-flight scenarists, wrote the screen adaptation of "Wonder Bar" for Warner Bros.

National Plugs To Sell 'Wonder' Film

National exploitation tie-ups blanketing the country are now in process of completion by Warner Bros. as advance aids in selling "Wonder Bar" to the public. One of the first big blasts will be via Coca-Cola and its national coverage in dozens of large circulation publications. Other tie-ups will cover all the possibilities for giving exhibitors local coverage through national plugs. Full details will be included in the special merchandising plan now in work by Warners.

By Request

Kay Francis and Ricardo Cortez, appearing together in "Wonder Bar," are teamed for the third time in recent months. The combine has resulted in an increase of fan mail for both stars and has established them as one of the best-selling duos in pictures.

Going one better on the imagination which created the spectacles of "42nd Street," "Gold Diggers of 1933," "Footlight Parade" and "Fashions of 1934," Busby Berkeley's innovations for "Wonder Bar's" augmented chorus of beautiful girls will inaugurate another series of "firsts on the screen."

To tunes by Al Dubin and Harry Warren, the four hundred girls and one hundred boys in the Berkeley ensembles, together with the stars, do a highly unusual rendition of a modern negro spiritual, "Goin' to Heaven on a Mule" with the whole company in blackface. Berkeley turned out this number, with Al Jolson leading a singing chorus of two hundred voices, as a fitting climax to the picture and his successful stage and screen career.

Runs 12 Minutes

Also featured in this number is Hal LeRoy, famous young dancer of the "Ziegfeld Follies" and "Strike Me Pink" and the lead in WB's coming "Harold Teen." The "Mule" number



One of the Many Sumptuous Sets in "Wonder Bar"

runs for twelve minutes and is regarded as a new high for elegance in construction and imagination in conception.

Another featured spectacle is the "Hall of Mirrors," in which the Berkeley beauties are multiplied sixteen times in number by the use of the largest plate glass mirrors ever constructed on the Coast.

Berkeley's Reward

Then there's the "Pillars of Song" number, with endless rows of huge, gleaming columns forming a stunningly simple setting for intricate chorus routines.

Warner Bros. gave Berkeley carte blanche on "Wonder Bar" to exceed all past extravaganzas, and his work has already won for him his first solo directorial job, on "Dames," co-starring Dick Powell and Ruby Keeler.

advertisement

Liberty PICTURES presents



Special Attraction for 1934-35 Season

STORIES BY FAMOUS AUTHOR
MADE BY A VETERAN PRODUCE
M. H. HOFFMAN
Who Gave You 'MOTHER'S MILLIONS' and 'MAD PARI

NOW AVAILABLE FOR PRE-RELEASE

"CHEATERS"

STORY, CONTINUITY *and* **DIALOGUE**
by **ADELE BUFFINGTON**

Suggested by **"THE PEACOCK SCREEN"**
By **FANNY HEASLIP LEA**

A polite crook, a society Raffles, loses confidence in his own confidence game when a moll with a lurid past breezes into his life . . . and the hard-boiled con man turns into a Romantic Romeo. Together they make the hard trek over the right road to win out. A keen, expertly written story that combines heart throbs and hair-raising suspense.

with this strong cast

BILL BOYD
DOROTHY MACKAILL
JUNE COLLYER
ALAN MOWBRAY
WILLIAM COLLIER, SR.
GUINN WILLIAMS

Directed by **Phil Rosen**

AVAILABLE FEB. 22nd FOR PRE-RELEASE

"WHEN STRANGERS MEET"

STORY, CONTINUITY *and* **DIALOGUE**
by **ADELE BUFFINGTON**

Suggested by **"THE WAY"**
By **ZONA GALE**

A unique picture . . with an all star cast of great performers . . . A production interpreted by superlative artists, fine direction . . . A human, powerful story of elemental emotions . . . Extraordinary entertainment that the industry and public will acclaim.

with

RICHARD CROMWELL - ARLINE JUDGE
LUCIEN LITTLEFIELD - CHARLES MIDDLETON
HALE HAMILTON - SARAH PADDEN - MAUDE EBURN
BARBARA WEEKS - SHEILA TERRY - RAY WALKER

Directed by **CHRISTY CABANNE**

RECORDED BY RCA-VICTOR SYSTEM

IN PRODUCTION

"TAKE THE STAND"

Suggested by **"THE DEUCE OF HEARTS"**
By **EARL DERR BIGGERS**
Screen Play by **ALBERT DEMOND**
Directed by **PHIL ROSEN**

Coarse, sensuous, unfeeling . . . living by her wits . . . a woman suddenly finds herself the central figure in a murder mystery that defies solution. Impending disaster brings to her the realization of a wasted life . . . and a rousing trial scene, the climax of this mighty drama, finds her a changed woman; making this an amazingly gripping narrative!

with

JACK LA RUE - THELMA TODD
GAIL PATRICK - RUSSELL HOPTON
BURTON CHURCHILL - VINCE BARNETT
LESLIE FENTON - SHEILA TERRY

MAD HONEYMOON"

Suggested by **"SEARCH FOR THE SPRING"**



NOR GATES

"There's a little bit of bad in every good little girl"... and instead of a cold shoulder she got warm embraces when she turned on her hotcha vamp technique to catch her man. A merry melee of modern matrimony . . . with a carload of laughs!

"THE QUITTER"

Suggested by **"THE BIG MITTEN"**

Damon Runyon's staggering narrative of a man's compromise between courage and cowardice; the sanctity of a pledge catapults a virile he-man into amazing adventures in a red-blooded, pulsating drama bristling with electric thrills and hair-raising action.



DAMON RUNYON

SCHOOL FOR GIRLS"

ggested by **"OUR UNDISCIPLINED DAUGHTERS"**



EGINALD
HT KAUFFMAN

"Finishing schools . . . and what they finish! A straight-from-the-hip story of modern youth . . . including single standards, double beds, and triple bromides! And a four star finish!"

"WITHOUT CHILDREN"

Suggested by **"EYES OF YOUTH"**

Overwhelming in its sincerity, profound in its presentation of the truth, this frank, daring story mirrors dramatically a vital situation that finds its counterpart in countless homes. Rich in human interest, with an outspoken message for every thinking adult in the land, "Without Children" will prove one of the greatest screen plays of our time.



MRS. WILSON
WOODROW

"TWO HEADS ON A PILLOW"



DOROTHY
CANFIELD

Suggested by **"THE ETERNAL MASCULINE"**

Two hearts, two souls made as one . . . what joys, what sorrows lie on their unchartered course! Here is a truly brilliant comedy-drama of the first . . . the second . . . the third year; its chuckles and chagrins, smiles and sighs, triumphs and tears!

Liberty
PICTURES CORPORATION

M. H. HOFFMAN, *President*
Pathe Studios
CULVER CITY, CALIF.

BUDD ROGERS, *Gen'l Sales Manager*
1776 Broadway, NEW YORK

"Hollywood" $20,400 Hit On the Coast

Los Angeles, Feb. 4.—Big money here last week went to "Going Hollywood." Evidently the Hollywoodians wanted to know how they go, for the gross at Loew's State reached $20,400, over normal by $6,400.

"Eskimo" also developed strength with a take of $6,450 at the 4 Star. "Angkor," with $5,000, was a big surprise at the Criterion.

"Little Women" was taken out of Grauman's Chinese at the end of its eighth week.

Total first run business was $95,819. Average is $109,750.

Estimated takings for the week ending Jan. 31:

"LITTLE WOMEN" (Radio)
CHINESE—(2,500), 50c-$1.65, 6th week, 4 days. Sid Grauman prologue. **Gross:** $8,411. (Average, $14,000.)

"ANGKOR"
(H. W. Warner & Roy Purdon Prod.)
CRITERION—(1,610), 25c-40c, 2nd week, 7 days. **Gross:** $5,000. (Average, $2,800.)

"JULY 14" (Rene Clair) 2nd Week, 1 Day
"I WAS A SPY" (Fox) 6 Days
FILMARTE—(800), 40c-50c. **Gross:** $2,204. (Average, $2,650.)

"ESKIMO" (M-G-M)
4 STAR—(900), 50c-75c, 7 days. **Gross:** $6,450. (Average, $4,500.)

"GOING HOLLYWOOD" (M-G-M)
LOEW'S STATE—(2,413), 25c-40c, 7 days. **Gross:** $20,400. (Average, $14,000.)

"CROSS COUNTRY CRUISE" (Univ.)
PANTAGES—(3,000), 25c-55c, 7 days. Stage: Henry Santrey with his 1934 revue. **Gross:** $5,160. (Average, $7,000.)

"4 FRIGHTENED PEOPLE" (Para.)
PARAMOUNT—(3,595), 25c-40c, 7 days. Stage: F. & M. Revue, Harry Rose, Ginn & Fizz, Picchiani Troupe. **Gross:** $17,894. (Average, $18,000.)

"HIPS, HIPS HOORAY" (Radio)
RKO—(2,700), 25c-40c, 7 days. **Gross:** $3,800. (Average, $8,000.)

"I'M NO ANGEL" (Para.) 4th Week, 1 Day
"GALLANT LADY" (U.A.) 6 Days
UNITED ARTISTS — (2,100), 25c-40c. **Gross:** $11,500. (Average, $12,800.)

"MASSACRE" (F.N.)
WARNER BROS. (Hollywood)—(3,000), 25c-40c, 7 days. **Gross:** $8,000. (Average, $14,000.)

"MASSACRE" (F.N.)
WARNER BROS. (Downtown)—(3,400), 25c-40c, 7 days. **Gross:** $7,000. (Average, $12,000.)

"Rio" at $16,000 Smash Denver Hit

Denver, Feb. 4.—"Flying Down to Rio" easily at $16,000 topped the first runs the past week and ran the take to more than 50 per cent above normal. Standouts were the rule. Leo Carrillo in person also helped the gross. Other first runs, with the exception of the Aladdin, were above normal. The Aladdin had an average week.

First run business was $38,000. Average is $29,750.

Estimated takings for the week ending Feb. 1:

"HOUSE ON 56TH STREET" (Warners)
ALADDIN—(1,500), 25c-40c, 7 days. **Gross:** $3,500. (Average, $3,500.)

"ALL OF ME" (Para.)
DENHAM—(1,500), 25c-30c-40c, 7 days. Stage. show. **Gross:** $7,500. (Average, $6,000.)

"ESKIMO" (M-G-M)
DENVER—(2,500), 25c-35c-50c, 7 days. **Gross:** $8,000. (Average, $7,500.)

"FLYING DOWN TO RIO" (Radio)
ORPHEUM—(2,600), 25c-35c-50c, 7 days. Stage show. **Gross:** $16,000. (Average, $10,000.)

"LITTLE WOMEN" (Radio)
PARAMOUNT—(2,000), 25c-40c, 7 days. **Gross:** $3,000. (Average, $2,750.)

Key City Grosses Hold on; 135 Houses Do $1,348,517

(*Continued from page* 1)

Omaha, Portland, Providence and Seattle. Cities reporting a drop are Buffalo, Chicago, Minneapolis, Philadelphia, Pittsburgh, San Francisco and St. Paul.

How the two weeks compare:

	Week Ending Jan. 26-27		*Week Ending Jan. 19-20*	
	No. Theatres	Gross	No. Theatres	Gross
Boston	6	$112,500	6	$109,000
Buffalo	5	43,700	5	53,800
Chicago	7	125,500	7	134,000
Cleveland	6	44,450	6	42,500
Denver	5	39,500	5	32,250
Des Moines	5	29,500	5	29,000
Detroit	6	66,300	6	60,100
Indianapolis	5	26,000	5	22,500
Kansas City	4	37,700	4	35,500
Los Angeles	10	85,615	11	111,270
Minneapolis	5	24,000	5	25,700
Montreal	5	43,000	5	41,800
New York	12	308,452	12	242,547
Oklahoma City	4	17,600	4	12,800
Omaha	4	26,500	4	22,750
Philadelphia	9	87,400	9	98,500
Pittsburgh	7	40,900	7	50,700
Portland	5	23,000	5	22,500
Providence	6	48,400	6	38,300
San Francisco	7	64,500	7	66,600
St. Paul	5	16,000	5	18,150
Seattle	7	38,000	7	35,000
	135	$1,348,517	136	$1,305,267

Comparative grosses for the last eighteen weeks, compiled from day-by-day box-office reports, show this:

Week Ending	*Theatres*	*Grosses*
September 29-30, 1933	135	$1,342,710
October 6-7	141	1,417,886
October 13-14	143	1,544,838
October 20-21	141	1,581,308
October 27-28	143	1,509,422
November 3-4	142	1,500,740
November 10-11	141	1,379,560
November 17-18	144	1,375,132
November 24-25	141	1,431,209
December 1-2	141	1,418,753
December 8-9	142	1,558,832
December 15-16	139	1,221,032
December 22-23	133	1,071,457
December 29-30	138	1,433,289
January 5-6, 1934	136	1,714,824
January 12-13	138	1,435,649
January 19-20	136	1,305,267
January 26-27	135	1,348,517

(*Copyright, 1934, Quigley Publications*)

"Dinner at Eight" Eases Into Top Spot in Seattle

Seattle, Feb. 4. — "Dinner at Eight" at the Fifth Avenue took the local lead this week, with a gross about $3,000 over the normal $7,000. It went into a second week.

Second in the running was the Paramount, with its new stage and screen policy at 20 and 30-cent prices. "Fugitive Lovers" was the film attraction, plus six acts of vaudeville and Jules Buffano's band. The gross was about $8,500. Average is $6,000.

Other houses suffered. "House on 56th Street" in its second week at the Music Box was below par, and dual bills at the Roxy and Orpheum were somewhat below normal. "The Invisible Man" at the Blue Mouse was good for average business and the Liberty's dual bill stood up well.

Total first run business was $38,000. Average is $36,500.

Estimated takings for the week ending Jan. 27:

"THE INVISIBLE MAN" (Univ.)
BLUE MOUSE—(950), 25c-35c-50c, 7 days. **Gross:** $3,750. (Average, $4,000.)

"DINNER AT EIGHT" (M-G-M)
FIFTH AVENUE—(2,450), 25c-40c-55c, 7 days. **Gross:** $10,000. (Average, $7,000.)

"YOU MADE ME LOVE YOU" (Maj.)
"THE FIGHTING CODE" (Col.)
LIBERTY—(1,800), 10c-15c-25c, 7 days. **Gross:** $3,750. (Average, $4,000.)

"HOUSE ON 56th STREET" (Warners)
MUSIC BOX—(950), 25c-35c-50c, 7 days, 2nd week. **Gross:** $3,000. (Average, first week, $4,000.)

"HIS DOUBLE LIFE" (Para.)
"THE BIG SHAKEDOWN" (F.N.)
ORPHEUM—(2,500), 25c-35c-50c, 7 days. **Gross:** $4,500. (Average, $6,000.)

"FUGITIVE LOVERS" (M-G-M)
PARAMOUNT—(3,050), 20c-30c, 7 days. Six acts vaudeville headed by Vitaphone Four. Jules Buffano's Band. Don Isham, organist. **Gross:** $8,500. (Average, $6,000.)

"LET'S FALL IN LOVE" (Col.)
"THE LAST ROUNDUP" (Para.)
ROXY—(2,275), 15c-25c-35c, 7 days. **Gross:** $4,500. (Average, $5,000.)

"Castle" and "Lady Killer" Lead Frisco

San Francisco, Feb. 4.—"A Man's Castle" broke above average last week at the Golden Gate, getting $14,000, up by $1,000. At the Warfield "Lady Killer" rallied in the closing days to garner $19,000, listed as average for this house. Henry Santrey's band brought in the business at the Fox, with two feature pictures, where gross was $12,000, a good $3,000 over average. Other houses held up fairly well.

Total first run business was $66,600. Average is $69,500.

Estimated takings:

Week Ending Jan. 16:
"A MAN'S CASTLE" (Col.)
GOLDEN GATE—(2,800), 25c-35c-40c, 7 days. Stage: Band. **Gross:** $14,000. (Average, $13,000)

Week Ending Jan. 17:
"WOMEN IN HIS LIFE" (M-G-M)
"RAFTER ROMANCE" (Radio)
ORPHEUM—(3,000), 15c-35c-40c, 7 days. **Gross:** $5,000. (Average, $9,000)

"LADY KILLER" (Warners)
WARFIELD — (2,700). 25c-35c-55c-65c-90c, 7 days. Stage: Band. **Gross:** $19,000. (Average, $19,000)

"FUGITIVE LOVERS" (M-G-M)
"EIGHT GIRLS IN A BOAT" (Para.)
PARAMOUNT—(2,670), 15c-25c-30c-40c-55c, 7 days. **Gross:** $8,000. (Average, $12,000)

"HORSEPLAY" (Univ.)
"FURY OF THE JUNGLE" (Col.)
FOX—(4,600), 10c-15c-25c-35c, 7 days. Stage: Henry Santrey band. **Gross:** $12,000. (Average, $9,000)

Week Ending Jan. 19:
"RED HEAD" (French)
FILMARTE—(1,400), 25c-35c-40c, 7 days, 2nd week. **Gross:** $1,600. (Average, $1,500)

Week Ending Jan. 20:
"ROMAN SCANDALS" (U. A.)
UNITED ARTISTS—(1,200), 25c-40c-50c, 7 days, 4th week. **Gross:** $7,000. (Average, $6,000)

"Skitch" and Show $12,000, Montreal

Montreal, Feb. 4. — Main stem houses turned in a good week with an assortment of worthwhile attractions and little in the way of sport opposition. "Mr. Skitch" and vaudeville made it $12,000 for Loew's, while "Design for Living" brought cash to the Capitol to the extent of $11,500.

The Princess featured "The Lady Is Willing" as a world premiere and the take was up to $7,500. "Invisible Man" and "You Made Me Love You" at the Palace were good for a fair $10,000. The weather was snappy, but Montrealers are used to it.

Total business was $43,000. Average is $36,500.

Estimated takings for the week ending Jan. 17:

"DESIGN FOR LIVING" (Para.)
CAPITOL—(2,547), 25c-35c-50c-60c-75c, 7 days. **Gross:** $11,500. (Average, $9,000.)

"FANNY" (French)
IMPERIAL — (1,914), 25c-35c-40c-50c, 7 days. **Gross:** $2,000. (Average, $2,000.)

"MR. SKITCH" (Fox)
LOEW'S — (3,115), 25c-35c-50c-65c-75c, 7 days. Vaudeville: Ben Blue; The Gray Family; Masters & Gauthier; Four Kings and a Queen; Waller & Lee; Marcus Sisters and Carlton Bros. **Gross:** $12,000. (Average, $10,500.)

"THE INVISIBLE MAN" (Univ.)
"YOU MADE ME LOVE YOU" (Majestic)
PALACE — (2,600), 25c-35c-50c-60c-75c, 7 days. **Gross:** $10,000. (Average, $11,000.)

"THE LADY IS WILLING" (Col.)
"FOG" (Col.)
PRINCESS — (2,272), 25c-35c-50c-65c, 7 days. **Gross:** $7,500. (Average, $6,000.)

Pickford Big Boston Draw With $39,000

Boston, Feb. 4.—Personal appearance of Mary Pickford, coupled with plenty of publicity before and during her sojourn here, packed the Metropolitan during the week, with "All of Me" as the screen attraction. Boxoffices groaned under a jump of 1,000 above average. The total was $9,000.

"Our Mary" was not the only star screendom on the Boston boards, however, with Doris Kenyon at the RKO Boston, where second honors for the week were scored. "As Husbands Go" was the screen feature, the combination being good for $20,000.

"Gallant Lady" at Loew's State and "His Double Life" at RKO Keith's were both above the average, the former by $2,500 and the latter by 2,000.

Total first run business was $112,000. Average is $95,000.

Estimated takings for the week ending Jan. 25:

"AS HUSBANDS GO" (Fox)
BOSTON—(2,900), 25c-50c, 7 days. Doris Kenyon on stage. Vaude. **Gross:** $20,000. (Average, $16,000.)

"CONVENTION CITY" (F.N.)
"HIS DOUBLE LIFE" (Para.)
FENWAY—(1,800), 30c-50c, 7 days. **Gross:** $13,000. (Average, $9,000.)

"I AM SUZANNE" (Fox)
KEITH'S—(3,500), 30c-50c, 7 days. **Gross:** $18,000. (Average, $16,000.)

"GALLANT LADY" (U.A.)
LOEW'S STATE—(3,700), 35c-50c, 7 days. Vaude. **Gross:** $18,500. (Average, $16,000.)

"ALL OF ME" (Para.)
METROPOLITAN — (4,350), 30c-65c, 7 days. Mary Pickford on stage with company in "The Church Mouse." **Gross:** $39,000 (Average, $28,000.)

"CONVENTION CITY" (F.N.)
"HIS DOUBLE LIFE" (Para.)
PARAMOUNT—(1,800), 30c-50c, 7 days. **Gross:** $9,000. (Average, $9,000.)

"Gallant" Strong In Omaha, $7,500

Omaha, Feb. 4.—"Gallant Lady" at the Paramount took a par $7,500 for the best comparative showing of the week.

"If I Were Free," with "Fifty Million Frenchmen" on the Brandeis stage, was good for $6,500. "Bombay Mail," with "Cecil and Sally" on the stage at the World and "Sons of the Desert" and "Eight Girls in a Boat" at the Orpheum were slightly off.

Total first run business was $26,500. Average is $27,500.

Estimated takings:

Week Ending Jan. 24:
"GALLANT LADY" (U.A.)
PARAMOUNT—(2,900), 25c-35c-40c, 7 days. **Gross:** $7,500. (Average, $7,500.)

Week Ending Jan. 25:
"IF I WERE FREE" (Radio)
BRANDEIS—(1,500), 25c-35c-60c, 7 days. Stage: "Fifty Million Frenchmen." **Gross:** $6,500. (Average, $6,500.)

"BOMBAY MAIL" (Univ.)
WORLD—(2,200), 25c-35c, 7 days. Stage: "Cecil & Sally." **Gross:** $5,000. (Average, $5,500.)

Week Ending Jan. 26:
"SONS OF THE DESERT" (M-G-M)
"EIGHT GIRLS IN A BOAT" (Para.)
ORPHEUM—(3,000), 25c-35c-40c, 8 days. **Gross:** $7,500. (Average, $8,000.)

Change "Chan" Title

Hollywood, Feb. 4.—Fox has changed the title of the Charlie Chan picture from "Chan's Challenge" to "Chan's Courage."

Hollywood On Parade

By BILL SWIGART

Hollywood, Feb. 4.—This one is hard to believe, nevertheless it is so. Rudy Vallee's favorite crooner is Bing Crosby. He plays his records for hours on end.

•

Lilian Harvey, who has been reported in Palm Springs at various times for the past six months, has yet to set eyes on the film colony's favorite winter resort.

•

Ever since the recent flood riled up the water in the Los Angeles reservoirs, Richard Dix has observed that "we are now all taking baths and *then* dusting off."

•

Next month will mark the 26th year since Col. William Selig established the first permanent studio in Los Angeles. That was the time when leading actors were paid as high as $30 per week.

•

Edwin Anthony Brown, who did "Whitey" in "Queer People," dedicated his latest book:

"To my bootlegger, without whose assistance this book could not have been written."

•

In explaining the term "contingent fee" to Ernest Pagano, Buster Keaton said:

"It means that if you lose the case, the lawyer gets nothing . . . and if you win the case, *you* get nothing."

•

Jeanie MacPherson has rounded out 20 years of service as a writer for C. B. De Mille by delivering her latest yarn, "Cleopatra" for the producer's next to be made for Paramount.

•

Florence Desmond writes from New York that the only autograph she has failed to get in her famous collection is that of Janet Gaynor. Jean Hersholt has just donated a large piece of mazuma to the Royal Museum of Art in Denmark. That's patriotism.

•

Caricaturing and burlesquing screen celebrities in cartoon reels has become so prolific and daring that the actors are beginning to squawk and may force the cartoon makers to get written permission and possible compensation in the future for the use of one of their most valuable assets.

•

A local independent leasing studio has changed its name, but hasn't fooled one of its ex-carpenters who sez—"What's de use of woiking for dat mob even if de name is changed. De checks bounce just the same. Dey repainted de joint to look like a Packard, but it's still a Chevrolet to me."

•

The calibre and quality of stories now being submitted to prospective directors for approval is evidenced in the case of Tay Garnett, who has read over 40 yarns up for production and is not sold on any one of them. Garnett either must be hard to please or the standard of present day material is much below par.

•

Jack Hays, producer of the "Baby Burlesk" comedies for Educational, who uses only youngsters between the ages of two and four, states his main difficulty is not in finding talented kids, but in finding clever youngsters, who at the same time, have sensible parents. The fond mammas and pappas cause him to buy more aspirins than any other production problem.

•

A stranger accosted Preston Foster in a New York elevator recently and requested his autograph. Foster accommodated and, upon doing so, was invited to visit the stranger the next time he happened to be in Baltimore. Foster did and found the autograph seeker was a publisher. It was a pleasant meeting and the actor is now constantly receiving first editions.

•

Survey of divorces among show folks for 1933 shows 29 decrees and 16 pending. This, of course, includes Los Angeles only and does not cover Las Vegas, Reno, Mexico and other divorce meccas. . . . That fight between Rudy Vallee's pooch and Pat Patterson's in the Fox studio commissary has resulted in a "No Dogs Allowed" sign at the entrance to the eatery.

•

One of the few honest cases of hero worship in Hollywood is felt by Bill Gargan for Leslie Howard. Gargan even named his new baby after Leslie. You remember that William's first big hit on the screen was his role with Leslie in "Animal Kingdom." It is interesting, then, to note that one of the few requests that Howard made of Radio on his next picture there, "Of Human Bondage," is that the cast include Gargan.

•

Norman Foster, who, by mutual consent lives apart from his wife, Claudette Colbert, thereby forming a modern Utopia of wedded life and getting along swell at it, is having a tough time getting his beach house painted. Every time he paints a door or some other part of the domicile red, Claudette shows up and demands he daub it with a dash of green. He's been working on the shack so long now that with similar interruptions, he's becoming color blind.

•

Oscar the Penguin, now working in his fifth picture, "No More Women" at Paramount, earns $125 a week, more than the average bit player makes. . . . Both Walt Disney and Edgar Allen Woolf used the motif of "The Big Bad Wolf" for their Christmas cards. While speaking of cards, David Wark Griffith rated tops for the most beautiful card received here in many moons, while the Bruce Cabots get credit for sending the most elaborate. . . . In answer to many inquiries as to what Bill Haines is doing, it can be said at present, he is redecorating Joan Crawford's house for the third time. . . . Dick Powell is giving the rest of the Warner stars a headache because he receives more fan mail than any other on the lot.

Jack Miller in Florida

Chicago, Feb. 4.—Jack Miller of the Chicago Exhibitors' Ass'n. is taking a vacation at Miami. His case before Federal Judge Barnes will come up again on Feb. 17.

"Carolina" Is Detroit High With $19,400

Detroit, Feb. 4.—"Carolina," grossing $19,400, was over average $4,400 at the Fox, proving the best bet in a week that was off due to zero weather in its early days.

"Gallant Lady," which netted $11,100 at the United Artists, was the only other to beat par, being $1,100 above.

Total for the week was $61,400, against an average of $77,000 and $66,300 the previous seven days.

Estimated takings for the week ending Feb. 1:

"AGGIE APPLEBY" (Radio)
"OLSEN'S BIG MOMENT" (Fox)
DOWNTOWN—(2,750), 15c-40c, 7 days. **Gross:** $5,100. (Average, $10,000.)

"DINNER AT EIGHT" (M-G-M)
FISHER—(2,975), 15c-40c, 7 days, 3rd week. **Gross:** $6,200. Average, $10,000.

"CAROLINA" (Fox)
FOX—(5,100), 15c-50c, 7 days. Stage: Mary Small, Vic Oliver, Stone & Vernon, Gordon, Reed & King. **Gross:** $19,400. (Average, $15,000.

"ALL OF ME" (Para.)
MICHIGAN—(4,100), 15c-50c, 7 days. Stage: Estelle Taylor, Emil Boreo. **Gross:** $15,300. (Average, $20,000.)

"GALLANT LADY" (U. A.)
UNITED ARTISTS—(2,070), 25c-50c, 7 days. **Gross:** $11,100. (Average, $10,000.)

"BIG SHAKEDOWN" (F. N.)
STATE—(3,000), 15c-50c, 7 days. Stage: Eddie Loughton, Eddie Lambert, Slim Timblin. **Gross:** $4,300. (Average, $12,000.)

"Widows" Grosses $6,500, Portland

Portland, Feb. 4.—"Havana Widows," or "Gold Diggers in Havana" as re-named by the Broadway, brought in but $6,500, or only $500 over average.

"Dinner at Eight" at United Artists came up to average and was held for a third week.

"Right to Romance" at the Music Box drew $3,500, or $500 over average.

First run totals were $22,500. Average is $21,000.

Estimated takings for the week ending Jan. 19:

"HAVANA WIDOWS" (F. N.)
BROADWAY—(1,912), 25c-35c-40c, 7 days. **Gross:** $6,500. (Average, $6,000)

"THE RIGHT TO ROMANCE" (Radio)
HAMRICK'S MUSIC BOX—(2,000), 25c-35c-40c, 7 days. **Gross:** $3,500. (Average, $3,000)

"LADY KILLER" (Warners)
HAMRICK'S ORIENTAL—(2,040), 25c-35c, 7 days. **Gross:** $2,500. (Average, $2,000)

"AS HUSBANDS GO" (Fox)
"GIRL WITHOUT A ROOM" (Para.)
PARAMOUNT — (3,008), 25c-35c-40c, 7 days. **Gross:** $5,000. (Average, $5,000)

"DINNER AT EIGHT" (M-G-M)
UNITED ARTISTS—(945), 25c-35c-40c, 2nd week, 7 days. **Gross:** $5,000. (Average, $5,000)

Sue Mid-States Combine

Detroit, Feb. 4.—Julius and Anna Fischer, operating the Plaza, have filed suit against Mid-States Theatres, Inc., charging that the Plaza has been unable to obtain sufficient product, because Mid-States buys away from it for the East End, a Fred DeLodder house.

M-G-M Holds Ted Healy

Hollywood, Feb. 4.—M-G-M has signed Ted Healy to a new contract.

Arthur Cole Rounds Out 20 Years in Job

KANSAS CITY, Feb. 4.—Arthur Cole, Paramount office manager, is receiving congratulations on completion Feb. 1 of 20 years of continuous service in one office. Locally this is believed a record among film company employes.

With previous experience in the U. S. Navy and the printing field, Cole entered the business in Feb., 1914, in charge of the printing department of the Kansas City Feature Film Service Co., owned by A. D. Flintom. The firm soon after became the Famous Players exchange here and, by evolution, the present Paramount branch. In 1919 Cole served under S. R. Kent, at that time Paramount district manager here.

Cole served as manager, after twice refusing the post, and later, at his request, was returned to the office manager's position.

Five of Fox Studio Publicity Staff Out

HOLLYWOOD, Feb. 4.—Resignations of Paul Snell and Thornton Sargent from the Fox Publicity Department, brought the total to five since the arrival of Gabe Yorke. Those resigning earlier in the week were Harry Brundidge, Kay Mulvey and Bertha Jancke.

Frances Deaner, formerly handling magazine contacts for the studio, returns to her post of a year ago, while Snell has joined the M-G-M staff. Mel Riddle has left the Radio publicity department to join the Fox staff.

Talk New Vancouver Producing Venture

VANCOUVER, Feb. 4.—Another production venture is under discussion, with J. G. Todhunter as president of the advisory board. It is to be called Better Pictures.

Todhunter says he hopes to get a grant of land from the British Columbia government.

Scheck, Leventhal South

BALTIMORE, Feb. 4.—Robert Scheck, president of the Philip J. Scheck Theatrical Enterprises, and his general manager, Meyer Leventhal, leave Tuesday for a vacation in Miami. Scheck's mother and sister have already sailed.

Transfer Frank Damis

PITTSBURGH, Feb. 4. — Frank Damis, assistant zone manager here for Warners, has been transferred back to the New Jersey district where he will assume a similar position under Don Jacocks. Damis came here with Harry Kalmine in October, 1932.

Subbing for Lackey

HOLLYWOOD, Feb. 4.—Paul Malvern has postponed production on "The Man From Utah" for Monogram to Feb. 22. The producer was forced to step into the shoes of William Lackey on "City Limits" due to the recent death of Lackey's mother.

"Christina" Closing Set

"Queen Christina" closes at the Astor Feb. 12 to make way for "Catherine the Great," which opens two days later.

Looking 'Em Over

"You Can't Buy Everything"

(M-G-M)

May Robson does a finished job of acting in a story of warped mother love, with the romantic phases more or less incidental. It may have been suggested by the life of Hetty Green.

She takes her young son to the charity ward of a hospital and a few minutes later storms into a bank because she has learned that Lewis Stone has been made a vice-president. As the story progresses, it develops that Stone is the supreme hate of her life, because he had jilted her in her girlhood.

Slaving to add to her wealth, she forces her son to enter her bank after he has finished college and keeps him from social contacts until he meets Jean Parker, daughter of the man she hates. When the son, William Bakewell, marries the mother watches the wedding from afar. In the panic of 1907 she tries to ruin Stone. Her son denounces her. Later, when she is recovering from pneumonia, there is a reconciliation.

It is a rough, shrewish role, lightened at times by flashes of sympathy for the downtrodden, but played splendidly.

Miss Parker is appealing and Bakewell is adequate, but acting honors go to the older members of the cast, Mary Forbes, Claude Gillingwater, Stone and Miss Robson.

Charles F. Riesner's direction is smart throughout and Len Smith's photography is high class, but whether the story with its adult appeal in a period running from about 1892 to 1907 will draw younger theatregoers remains to be seen.

"I've Got Your Number"

(Warners)

Exploits of a telephone trouble sleuth with a plethora of wisecracks and a romance thrown in for swell entertainment. An audience at the Roxy regaled itself hugely at Pat O'Brien, Allen Jenkins and Joan Blondell. The final scene is a pip and an ace windup for this chuckler.

O'Brien and Jenkins, co-workers, have been meeting a lot of pretty girls while making repair calls, but the former gets stuck on Miss Blondell and sticks to her until she consents to go out with him. Used as a dupe on a racing tip-off by a gang of racketeers, the heroine is fired from her hotel job and O'Brien get her one with an investment broker. The same slicker who pulled the former phoney deal which cost Miss Blondell her job learns of her new connection and cleverly manipulates a maneuver which nets him $90,000 in negotiable bonds.

Miss Blondell flees when she learns of the trick and O'Brien is accused of playing in cahoots with her. He finally corrals the slick thieves after tapping a couple of wires and vindicates the girl. He gets $1,000 reward for the return of the bonds and also marries the heroine. The ending finds them about to retire on their wedding night when a crew of telephone trouble chasers break in on the apartment and just won't let the couple spend a peaceful evening alone.

Radio Signs Jane Murfin

HOLLYWOOD, Feb. 4.—Jane Murfin has signed a Radio ticket to do the screen play for "Green Mansions" from the original novel by W. H. Hudson.

Joel McCrea and Dolores Del Rio have been spotted in the featured roles.

Herrick Short for Easter

F. Herrick Herrick's latest Vagabond Adventure short, "The Holy Land," is to be released by Van Beuren-RKO as an Easter attraction. The film is claimed to have the first scene made at the tomb of Christ.

Laskys Back to Coast

HOLLYWOOD, Feb. 4.—Jesse Lasky and Jesse Lasky, Jr., will return to Hollywood on Monday following a vacation in Havana.

"Devil Tiger" Feb. 7

Fox's "Devil Tiger" will have its world premiere at the Rialto, New York, Feb. 7.

M. B. Shanberg in Florida

KANSAS CITY, Feb. 4.—M. B. Shanberg, former circuit operator, who is figuring prominently in litigation with Loew's and Fox West Coast, does not permit his court battles to interfere with his vacations. His office here reports he is basking in sunny Florida and will be gone the rest of the winter.

Drop Alliance Receiver

ALLIANCE, Feb. 4.—The receiver for the Columbia has been discharged, and the Columbia is now included in the Tri-Theatres Inc., Circuit, operated by Ray Wallace.

"Fighting Priest" Booked

The one-reel short, "The Fighting Priest," has been booked by the RKO Metropolitan circuit for 36 houses through Inter-American Film, Inc.

Warren Joins Allied

Frank Warren, formerly manager of the Garden, Princeton, N. J., has joined Allied of New Jersey as contact man on a membership drive.

Insiders' Outlook

(Continued from page 2)

Chicago. Half hour before the first show, the yarn goes, Miss Gray sent for the house manager and refused to appear because she had not been accorded top billing. Business of the manager not getting it. He raised the question and was informed B. and K.'s name was above the dancer's. What Gilda didn't know was that it has been institutional with Barney and John Balaban for years to talk about their houses as "B. and K.'s Chicago" and so on. P.S.: She went on. . . .

▼

There will be some conjecture about Newsreel Theatres, Inc., its five-year lease, plus an option up to 10, on the Embassy and revival of the newsreel theatre idea along the Main Stem. For, associated with F. C. Wood are two Pathe News men. One is Harold Wondsel, editor-in-chief of the reel. The other is W. French Githens, the former's assistant. That doesn't mean, as might appear likely, that Pathe News is behind the venture. While it will give the reel a swell representation on Broadway, the men involved have stepped into the proposition as a personal move, the money having been raised by them for the purpose. . . .

▼

Interesting, new slant on the two-picture Catherine cycle is the impending deal for "The Scarlet Empress," Dietrich version, to play the U. A. Rivoli as part of that house's three-picture deal closed with Paramount when U. A. took over the theatre solo. Interesting, because United has the Bergner Catherine opus. . . . Hollywood insists on crediting the Lasky-to-Radio report. The fact Jesse's contract with his present company has several years to go apparently makes no difference. . .

KANN

More Space for Amity

Larger quarters have been leased by John M. Crinnion, executive vice-president of Amity Pictures, at 729 7th Ave. H. William Fitelson, of Fitelson and Mayers, the firm's legal representatives, will have space at the new offices, which will be ready for occupancy Feb. 15.

"Palooka" Show Set

"Palooka," Reliance-U. A. release will be trade shown in all key cities tomorrow. The New York spot is at the Astor here at 11 A.M.

Hummel to Move On

Joe Hummel, foreign sales manager for Warners, leaves Australia for South Africa Wednesday on his round-the-world trip for the company



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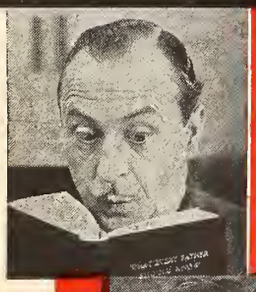
Wm. Brandt

Chairman of Entertainment Committee

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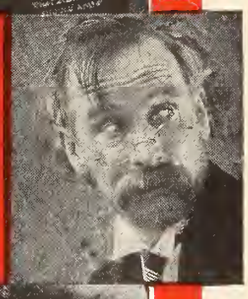


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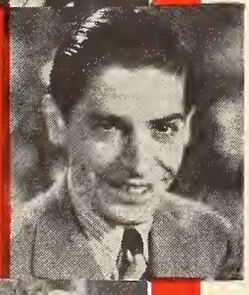
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STOOPNAGLE AND BUDD — **HELEN MORGAN**

TOM HOWARD — **BOB HOPE**

LILLIAN ROTH — **MILTON BERLE**

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L. 35. NO. 31 NEW YORK, TUESDAY, FEBRUARY 6, 1934 TEN CENTS

nqualified Code Assents Reach 6,934

eport 717 More Come In Within 5 Days

n the last five days, Code Authority received a total of 717 unqualified ents, increasing the former figure 5,217 to 6,934.

With more than three weeks to go ore the extended deadline of Feb. is reached, there is a possibility the final assent number will approach 8,000. Many independent units oughout the country, notably Allied iates, are withholding compliances l the issue of qualification is set- by the court. The legal issue is ed to be decided on Feb. 20 when

(Continued on page 3)

ew Code Board List In, Despite Deadline

Recommendations for posts on clear- e and zoning and grievance boards still being received at the office of Code Authority despite expiration the deadline on Jan. 20. All sug- tions are being submitted to Code thority for disposal. Most of the proposals are duplications of nes previously submitted.

olds Criterion for Another Six Months

Paramount will retain the Criterion perty, which includes Loew's New rk, an additional six months as the ult of issuance of an order by Ref- e Henry K. Davis yesterday author- ng Paramount Publix trustees to $170,000 in taxes and penalties on property.

The payment is part of a plan by

(Continued on page 7)

apitol to Use Name Acts as New Policy

The Capitol is undergoing a change stage show policy under which the use again will splurge on name at- ctions. As the first, Buddy Rogers l his orchestra and Lionel Barry-

(Continued on page 6)

. S. Starts Probe Of K. C. Labor War

KANSAS CITY, Mo., Feb. 5.—Federal vestigation into the theatre labor war re has been launched, with the in- ry promising to delve into operator-

(Continued on page 3)

Check on Outside Men May Hold Up Board Personnel

Investigation of impartial representatives to be named to clearance and zoning and grievance boards by Division Administrator Sol A. Rosenblatt may hold up official announcement of the rest of the personnel on Friday, following a meeting of Code Authority. With four boards yet to be tentatively named, the committee on selections meets Thursday to complete the 32 cities. However, the committee has nothing to do with outside personalities.

About 125 recommendations for the 64 posts were mailed last night by Executive Secretary John C. Flinn to Rosenblatt, so that the latter could send out wires to government representatives for a complete background on the men mentioned.

Columbia Again Stays at 32; Cohn Denies Any Friction

Columbia will stick to its current output of 32 features and a program of shorts in 1934-35, declared Jack Cohn, vice-president, upon his return to New York from Hollywood yesterday.

Once again he came to the defense against rumors of friction between distribution and production when he stated emphatically such was not the case.

"To the contrary," he said, "both departments are functioning as harmoniously as it is physically possible to do. Too many people in this business want to see internal clashes of companies. We are too busy making and selling pictures. As a matter of fact we're giving more than promised. We didn't promise Clark Gable or Claudette Colbert, but we are giving

(Continued on page 7)

Believe More Loew's Stock Sold by Banks

Hayden, Stone and Dillon, Read & Co., Wall St. financial houses, are believed to have disposed of their block of 165,000 shares of Loew's, Inc., in the open market within the past week, during which 190,300 shares have changed hands.

Seven days' trading in the issue reached a peak yesterday with a turnover of 102,100 shares. The closing price was 32⅞, a gain of two points

(Continued on page 6)

Para. Helped By Voiding of Rental Claims

WASHINGTON, Feb. 5.—Paramount Publix and its bankrupt theatre subsidiary are saved more than $14,000,000 in future rent claims by a decision handed down today by the U. S. Supreme Court which held that future rent claims filed against a bankrupt are not provable.

The ruling clears away one of the major obstacles to the further progress of a plan of reorganization for

(Continued on page 6)

Zero Weather Hits Takes In East and Middle West

Zero weather on the eastern seaboard and in the middle west held down grosses somewhat, except in Boston, last week. San Francisco, which was unaffected by the freezeup, was also slow.

"Carolina" made an excellent showing with $15,000 in Cleveland. "Gallant Lady" had several good grosses, as did "House on 56th Street." "Miss Fane's Baby Is Stolen" and "Eskimo" were spotty.

Minneapolis and St. Paul had noth-

(Continued on page 6)

No Decisions Arrived at by Administrator

Salaries and Ratings to Await Data Study

WASHINGTON, Feb. 5.—Division Administrator Sol A. Rosenblatt is back with no decisions made regarding his attitude on salaries, ratings and other subjects. He will have to study his data, he says, before he can reach any conclusions.

Everybody on the coast was "entirely cooperative" at all times, he said. By holding conferences, he stated, he had been able to secure information procurable in no other way.

"Executives in the west have an entirely different viewpoint from those in the east, and their approach to a problem also is different," he said. He will get into the pounds of documents he brought back with him as soon as he has disposed of an accumulation of work on his desk.

Discussing developments in Wash-

(Continued on page 3)

Operators' Merger In Court Tomorrow

Hearing on the contemplated merger by Local 306 of Empire State Operators' Union comes up tomorrow before Justice Riegelman of the Supreme Court in Brooklyn. Recently, Springer & Cocalis obtained an injunction against the combination and decision is expected to be made whether Empire can be absorbed.

Samuel Birnbaum and Charles H. Tuttle will represent Local 306.

Massachusetts Has State Censor Bill

BOSTON, Feb. 5.—Creation of a state board of picture censorship, to consist of five members, of whom one should be a woman and one a clergyman, is proposed by Representative William P. Dolan of Jamaica Plain in a bill presented to the Legislature today. Showing of crime pictures was severely scored by Representative Dolan in submitting his bill.

Mayer Again Heads Producers on Coast

HOLLYWOOD, Feb. 5.—Louis B. Mayer today was re-elected president of the Ass'n. of M. P. Producers for the third term. Jack Warner was chosen to succeed himself as first vice-

(Continued on page 7)

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Edward Mehesy Dead

SALT LAKE CITY, Feb. 5.—Edward Mehesy, 65, one of the first picture theatre operators here, has passed away in Los Angeles, according to word received here. Mehesy opened the Mehesy, now known as the Rialto, when pictures were in their infancy.

DuWorld Signs Phelps

Leroy Phelps, cameraman on Frank Buck's "Wild Cargo," has been signed by Archie Mayers and Irvin Shapiro to produce a series of state rights animal shorts for DuWorld Pictures. Phelps starts for the Far East today or tomorrow.

To Honor Cohan, Harris

George M. Cohan and Sam H. Harris will be guests of honor at a dinner to be given by the Jewish Theatrical Guild at the Astor on April 8. Eddie Cantor is president of the guild.

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The Pay-Off

Reflections on events that are cracking in the news columns:

ESTABLISHMENT of box-office merit on the basis of royalties is on tap again. While Sol Rosenblatt was in Hollywood last week such a plan, based on the gross, was presented to him on behalf of stars, directors and writers. The division administrator told all and sundry interested he would give the thought serious consideration when he passed up the line recommendations drawn from the volleys of suggestions fired at him from all Hollywood directions.

The royalty idea long has interested this mouthpiece as the one way by which all the hands may be kept happy. Whether on the gross or on the profit depends on how prejudices against such a plan could be overcome. The gross idea seems to rate the jump on profits for reasons and bookkeeping that should tell their own stories.

Some there are who have maintained all along that royalties mean only trouble; that the job is too difficult to undertake; that it would slow down the normal business of running a distribution machine; that it would result in law suits.

It would mean nothing of the sort if the move were fairly conceived and fairly executed. Ten months ago when we were browsing around Hollywood getting a line on this and that, it was brought forcibly to our attention by important men and women who count in the creative end of production that a royalty system was the one way to effect some sort of a balance in the industry's exchequer.

They told us then and nothing has developed since last April to demonstrate a change in heart—on their part—they would be willing to work it out along such lines; that if they made a flop, it was flop money which they rated and nothing more. They pointed out how firmly intrenched in other fields the royalty system was imbedded: in books, popular sheet music, the stage. The argument, naturally, was for a system predicated on an unassailable count.

Chief among the handicaps are two. One is the producer viewpoint that his business would no longer be private; that his books would be open books and more of the same ilk. The other, scarcely admitted but recognized far and wide in Hollywood, has to do with the existing method of sales under which an outstanding draw name is coupled with blocks of pictures and used as the leverage by which average or less than average product is merchandised to the theatre operator.

There is considerable to the latter argument from the creative workers' angle. Also considerable by way of opposition which would develop whenever the long-established block booking system and possibility of any alterations in it are talked about.

▼

THE wires from Kansas City quote Al Lichtman as favoring a boost in admissions, thereby reminding anew of his flexible price idea advanced several sea-

(*Continued on page 8*)

Loew Leads Big Board Trading

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	27⅛	26⅜	26⅝	+ ⅛	1,500
Consolidated Film Industries	5	4½	4¾	.....	2,100
Consolidated Film Industries, pfd	15½	14¾	14¾	— ¼	4,300
Eastman Kodak	92	91½	91¾	+ ⅜	1,500
Eastman Kodak, pfd	123	123	123	+ ⅞	1,000
Fox Film "A"	17⅜	16½	16⅞	— ⅛	28,900
Loew's, Inc.	33⅜	31⅝	32⅞	+2	102,100
Loew's, Inc., pfd	85	84¾	84¾	— ¼	200
Paramount, cts.	3⅝	3⅜	3½	+ ⅛	21,600
Pathe Exchange	3	2¾	3	+ ⅛	17,100
Pathe Exchange "A"	15⅜	14¾	15¼	+ ¾	9,000
RKO	3⅞	3¼	3⅜	+ ⅛	7,000
Universal Pictures, pfd	30	25	26½	+1½	10,000
Warner Bros.	8¼	7¾	8	+ ¼	50,300
Warner Bros., pfd	24½	23½	24½	+1½	400

Technicolor Off ⅛ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	10	9¾	9⅞	— ⅛	400
Universal Pictures	3	3	3	.....	100

Bonds Rise Following Market

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	7¼	6⅞	7	+ ¼	12
General Theatre Equipment 6s '40, ctf	7	6½	7	+ ½	43
Keith B. F. 6s '46	62½	60½	60½	— ½	8
Loew's 6s '41, ww deb rights	96	95	96	+1	26
Paramount Broadway 5½s '51	38	37½	38	+1	8
Paramount F. L. 6s '47	40	37½	40	+2	25
Paramount Publix 5½s '50	40	38	40	+2	93
Pathe 7s '37, ww	89½	89¼	89½	+1¼	4
RKO 6s '41, pp	28	26¼	28	+2	4
Warner Bros. 6s '39, wd	59½	58	58	+1	17,800

Spot News from Columbia



You'll soon be able to see it! You'll soon hear the whole world talking about it! The screen's mightiest soul-stirring spectacle, "NO GREATER GLORY," Frank Borzage's masterly production based on Ferenc Molnar's famous novel



The outstanding performances of two outstanding careers! CLARK GABLE and CLAUDETTE COLBERT together for the first time in Frank Capra's "It Happened One Night," the season's brightest romantic comedy.



Drama with a punch! Stars with pulling power! ELISSA LANDI and JOSEPH SCHILDKRAUT in "Sisters Under The Skin," with Frank Morgan. Directed by David Burton. Keep your eyes on this one!

o Decisions rrived at by Administrator

(Continued from page 1)

ion during his absence, Rosenblatt ared he had received no complaints producers were forcing shorts, as rged in Allied's telegram to Sena- Borah of Idaho. If any complaint his practice is received, it will be nptly and thoroughly investigated, romised.

he Allied suit in New York will ably be defended by a special as- nt to Attorney General Cummings, d by a member of the Recovery inistration legal staff, Rosenblatt , with Code Authority members cted to have their own counsel.

eplies to the salary questionnaire coming in steadily, he disclosed. rge number have already come in there are many more yet to be ived. As soon as practically all in, the work of analyzing the data be started, with a general report ful of being ready some time next ith, said Rosenblatt, who added when the analysis is completed eral figures will probably be made lic, but there will be no invasion the confidence promised members he industry with respect to individ- data.

ys Some Actors vor Royalty Plan

n response to a question concerning possibility he will recommend a alty plan for stars, directors and ters, Division Administrator Sol Rosenblatt restricted comment le in Kansas City to the statement "some of the artists are in favor the plan, but that matter will e to be considered along with the ers."

owdown on Reel Men Strafford's Aim

HICAGO, Feb. 5.—W. H. Strafford, sident of Local 660, International otographers' Union, has submitted Division Administrator Sol. A. enblatt questions seeking a show- n on newsreel men's working time. ducers are insisting on interpret- the code their own way, Straf- d claims, with the result newsreel n are working more than the pre- bed 320 hours in an eight-week iod, without getting time off with after putting in the maximum.

trafford's interpretation of the code that the men must automatically e time off at full pay when the cified number of hours have been rked regardless if these hours were rked in less than the eight-week iod. He says producers are in- preting the code on a 40-hour per ek basis and want to count only time a cameraman is working en the time should be figured from moment he leaves for an assign- nt.

iscuss Vaudeville Today

The committee on vaudeville labor ets today at the New York Ath- c Club to discuss possible changes the provisions of the code affect- actors.

Maybe $105,000

"Nana" grossed $66,200 from its Thursday opening to close of Music Hall business Sunday night.

RKO officials are estimating between $105,000 and $110,000 on the first week which closes tomorrow night.

Technicians' Branch Swings into Action

HOLLYWOOD, Feb. 5.—Assured of financing by producers to carry out technical research work, the technicians' branch of the Academy is swing into action again with several former members returning to the fold. A number of meetings are planned for the immediate future to map out the work to be done.

Twelve nominations have been made for submission to Division Administrator Sol. A. Rosenblatt for appointments to the agency committee. The nominees are: Cedric Gibbons, J. C. Okeh, Benjamin Herzbrun, Max Parker, George Barnes, Karl Struss, J. M. Nickolaus, Hal Rosson, Carl Dreher, Douglas Shearer, Wesley C. Miller and Nathan Levinson. Writers, actors and directors will make nominations to the same boards at Rosenblatt's request, who pointed out that nominations could be made by any faction and are not being restricted to guilds alone.

Clark to Represent Kent on Authority

John D. Clark will represent S. R. Kent at two Code Authority sessions slated for this week. The Fox president is vacationing in Florida and, during his absence, Clark will attend the meeting of the committee on clearance and zoning and grievance boards nominations on Thursday and the Code Authority session on Friday.

W. C. Michel, Kent's permanent alternate, will not attend these sessions inasmuch as they will pertain to distribution.

Says Allied Has a Basis for Its Suit

WASHINGTON, Feb. 5.—Morris Legendre, assistant to Division Administrator Sol A. Rosenblatt, believes Allied has a basis for its suit against the Code Authority and Rosenblatt filed by the Congress Theatre, Newark.

"Have the plaintiffs anything to stand on?" Legendre was asked.

"I think they have," he replied.

Ask Labor Clauses Be Better Defined

Several requests for definitions of certain labor clauses are being turned over to Division Administrator Sol A. Rosenblatt by Executive Secretary John C. Flinn. Rosenblatt is expected in New York from Washington before the Code Authority session on Friday and will decide the issues involved.

Relief Fund Aided 16,000

HOLLYWOOD, Feb. 5. — Marion Davies, president of the M. P. Relief Fund, says the organization spent $150,000 last year, giving aid to approximately 16,000 ill and unemployed.

Unqualified Code Assents Reach 6,934

(Continued from page 1)

the suit of the Congress Theatre, Newark, against the authority is heard.

Shortly after the first boards' personnel are named, duplicate assent cards, indexed at Code Authority headquarters, will be sent to key cities where set-ups are approved by Division Administrator Sol A. Rosenblatt. The second set of cards is for file in the local territories so that only exhibitors assenting can officially make complaints for hearings.

U. S. Starts Probe Of K. C. Labor War

(Continued from page 1)

exhibitor disputes over the past two years.

Among those subpoenaed by the Federal grand jury are Jay Means, head of the I.T.O.; Robert Dillon, business agent of Local 170 during the strike of two years ago; W. H. Lollier of Los Angeles, Fox West Coast labor representative at that time, and Clyde Weston, Granite City, Ill., I.A.T.S.E. international representative. A large number of operators and suburban exhibitors are understood also to have been subpoenaed.

The inquiry follows an investigation conducted last November by the Jackson County grand jury, which found numerous instances of outrages and coercion of exhibitors by the union and which, admitting local officials were powerless to remedy conditions, recommended a Federal probe. It is believed the Jackson County grand jury turned testimony given to it over to the Federal authorities.

Officials of the operators' union assert they fear no Federal investigation, declaring the Government can find plenty of evidence revealing exhibitor activities in past disputes in an unfavorable light.

The investigation comes on the heels of a visit here last week by President William Elliott and other I.A.T.S.E. officials which brought reports of an impending shakeup of the operators' local. Elliott officially came here, it is understood, to investigate dissension in operators' ranks revealed by an anonymous bulletin received by exhibitors and operators attacking union officials.

Rosenblatt Asks Pay Arbitration Pushed

KANSAS CITY, Mo., Feb. 5.—Division Administrator Sol A. Rosenblatt has instructed Jay Means, head of the I.T.O., to proceed with arbitration of the local contract dispute with operators involving 60 subsequents and suburbans. The union has agreed to arbitration, which will be carried on locally provided both sides can agree on an impartial chairman.

Exhibitors are understood demanding a reduced scale for one-man operation. On behalf of exhibitors, Means gave Rosenblatt a picture of the local situation, including the Federal investigation. Rosenblatt informed him it was immaterial to him whether exhibitors dealt with the union as long as the code were complied with.

Purely Personal

ROBERT MONTGOMERY leaves the coast for New York this week on a month's vacation. Upon his return to Hollywood he will be starred by M-G-M in "Calm Yourself," an EDWIN HOPE original.

LYNN FARNOL, press agent for SAMUEL GOLDWYN, and JEFFREY FARNOL, British author, are cousins since last Thursday. They set the relationship and the date themselves with witnesses to prove it all.

BERT WHEELER and ROBERT WOOLSEY leave this afternoon by plane for the coast after a five-week stay here. DOROTHY LEE, their leading woman, starts west by train.

MARIA GAMBARELLI is on her way to the coast to appear in a stage show in connection with the opening of "Queen Christina" at Grauman's Chinese.

MILTON SCHWARZWALD will start work tomorrow on a two-reel musical short for Mentone, with ED SULLIVAN, columnist, as master of ceremonies.

COLLEEN MOORE arrives in New York today for a visit with her husband, AL SCOTT, before starting work in her next for Radio.

MRS. CHARLES F. REISNER, wife of the director, is expected soon in New York, where she will spend a seven-week vacation.

JEAN DIXON, recently signed by M-G-M, will leave shortly for the coast to appear in "Sadie McKee."

GERTRUDE NIESEN, torch singer, has started work in a Vitaphone musical, "Darling Enemy."

ALLEN RIVKIN and P. J. WOLFSON have sold "Star Express" to M-G-M.

HERMAN ROSSMAN has sold "The Ace," a play, to M-G-M.

SAM KATZ is over a four-day attack of the grippe.

Short in Boston on Block Booking Fight

BOSTON, Feb. 5.—Dr. William H. Short, director of the M. P. Research Council, continued his campaign against block booking and blind buying at a luncheon of the Massachusetts Civic League here.

He made no mention of the report that Allied States is said to have an agreement with the council whereby it pledges itself to help raise a fund of $200,000 so that the council can carry on its block booking fight.

Start "Bad Boy" Mar. 6

HOLLYWOOD, Feb. 5.—Production on Sol Lesser's picture, "Peck's Bad Boy," with Jackie Cooper, has finally been set to start March 6. Eddie Cline will direct and he is now collaborating on the story with Marguerite Roberts.

To Show Religious Film

Integrity Film Corp., headed by David Calcagni, will give a press showing Thursday afternoon for "Miracle Man of the Centuries," based on the life of St. Anthony of Padua, at the Ameranglo projection room.

Watch ANNA STEN!

Watch ANNA STEN!

In

NEW YORK!

at the RADIO CITY MUSIC HALL,

where

ANNA STEN

in SAMUEL GOLDWYN'S *Production of*

Nana

Opened to One of the Largest Crowds
Ever Known in the History of the Theatre,

BUSINESS THE SECOND DAY WAS BIGGER THAN THE FIRST, AND

BUSINESS THE THIRD DAY WAS BIGGER THAN THE SECOND!

Released thru
UNITED ARTISTS

Watch ANNA STEN!

Watch ANNA STEN!

Watch ANNA STEN!

Watch ANNA STEN!

Watch ANNA STEN!

In

CHICAGO!

at the UNITED ARTISTS THEATRE,

where

ANNA STEN

in SAMUEL GOLDWYN'S *Production of*

Nana

Broke the Opening Record Previously Held by "Roman Scandals",

BUSINESS THE SECOND DAY WAS BIGGER THAN THE FIRST, AND

BUSINESS THE THIRD DAY WAS BIGGER THAN THE SECOND!

Released thru
UNITED ARTISTS

Watch ANNA STEN!

Watch ANNA STEN!

Watch ANNA STEN!

Believe More Loew's Stock Sold by Banks

(*Continued from page* 1)

on the day's trading and three and one-half points since a week ago, when the closing price was 29⅜. The average selling price for the period indicates that the two financial houses realized in excess of $5,000,000 on their block of 165,000 shares. This compares with an estimated $4,500,000 realized by the Chase National Bank on the sale of a similar block two weeks earlier.

The stock holdings represented the equities of the three concerns in a defaulted $20,000,000 note issue of Film Securities Corp., which was secured by 660,900 shares of Loew's. The three financial houses and A. T. & T., who were the holders of the notes, divided the Loew's stock among them in proportion to their holdings of the defaulted notes. A. T. & T.'s share was 330,000, which it is believed to be still holding, although spokesmen for the company have declared that it has no intention of maintaining a permanent financial interest in any amusement company.

Warners Deny Story Of Germans' Protest

Newspaper reports that the German chargé d'affairs at Panama had requested the foreign secretary there to ban Warners' "Captured" as "offensive to the dignity of the German people" were denied here yesterday by foreign department representatives of Warners. The company also denied, as published, that the film has been banned in Mexico as the result of a similar protest there. Warners declared that it is without knowledge of any protest in Panama and that prints have been shipped there. They also declared that the picture is now playing in Mexico and has been approved by the German consulate at the capital.

Capitol to Use Name Acts as New Policy

(*Continued from page* 1)

more will head the show beginning Friday.

This will make necessary a rearrangement of the orchestra along different lines, explained Louis K. Sidney yesterday in outlining the reason for giving the current musicians two weeks' notice.

May Do B. I. P. Script

HOLLYWOOD, Feb. 5.—James McGuiness, whose M-G-M contract runs out next month, plans a trip to London to pick up a standing offer to write one script for British International. At the minute, McGuiness is writing the screen version and dialogue of "Tish" stories by Mary Roberts Rinehart.

Joe May Is Assigned

HOLLYWOOD, Feb. 5.—First Joe May assignment for Columbia is the tentatively titled "Fifi and Her Five Boys." The German director is awaiting arrival of Schultz and Wilder, writers, from Europe before going ahead.

Zero Weather Hits Takes In East and Middle West

(*Continued from page* 1)

ing outstanding. "Eskimo" failed to reach par either at the Minnesota in Minneapolis or the Paramount in St. Paul. "By Candlelight" at the Minneapolis World and "Emperor Jones" at the small World in St. Paul were both strong. "The House on 56th Street" was $5,000 up with a $6,000 take at the Minneapolis State. "Miss Fane's Baby Is Stolen" and "Smoky" did well, but "Advice to the Lovelorn" "Convention City" and "Fugitive Lovers" were only par draws.

Business eased off a bit in Boston, but even so every house except two was above normal. "Search for Beauty" and a revue reached $33,000 at the Metropolitan. "King for a Night" and a musical show, "New Yorkers," had a strong $18,000 at the Boston. "Beloved" and "Eskimo" took $17,000 and $18,000, respectively, at Keith's and Loew's State. The only two other attractions to reach par were "Hi, Nellie" and "Orient Express" on dual bills at the Fenway and the Paramount.

Chicago Snaps Out Of It

Chicago had a zero spell that slowed up business early in the week, but it picked up later. "All of Me" and "The Student Prince" took a fine $42,000 at the Chicago, and "Advice to the Lovelorn" at the Palace and "Love, Honor and Oh Baby" at the State-Lake were normal. "Miss Fane's Baby Is Stolen" had a weak $10,000 at McVickers. "Dinner at Eight" took $15,000 in its third week at the Oriental and "Gallant Lady" was good for $11,000 in its second week at the United Artists.

"The Private Life of Henry VIII" was the only strong draw of the week in San Francisco. Its $10,500 gross at the United Artists was over normal by $2,500. "Rainbow Over Broadway" and "Woman's Man" reached $11,000, up by $2,000, at the Fox, but only one of the other first runs, the President with "Forgotten Man," reached average, $3,000.

Oklahoma City had a bad week with "House on 56th Street" the only first run attraction to exceed normal. The take was $3,100 at the Capitol. "I Am Suzanne" at the Midwest was good for a par $4,000, but "Fugitive Lovers," "Lady Killer" and "Midnight" were weak.

Cleveland Likes "Carolina"

"Carolina" overcame the handicap of zero weather in Cleveland by piling up $15,000 at Warners' Hippodrome. The average take there is $5,000. "The Meanest Gal in Town," with Amos 'n' Andy on the RKO Palace stage, took the only other big gross of the week, $22,500. "Advice to the Lovelorn," at the Allen, and "Sons of the Desert" and "Lone Cowboy" at the Stillman were even. "Massacre" had a good $2,600 at Warners' Lake. "Eskimo" was weak with $8,000 at Loew's State.

"Invisible Man" and "Master of Men" were the only two single bills in Portland to demonstrate any strength. The former took $3,800 at Hamrick's Music Box and the latter grossed $2,500 at Pantages. "From Headquarters" and "Goodbye Love" made up the strongest dual bill at Hamrick's Oriental. The take was $3,000. "Convention City" and "Massacre," "I Am Suzanne" and "Hell and High Water," and "Moulin Rouge" were just average.

"Gallant Lady" ran away with top honors in Seattle, getting $6,000 at the Music Box. The new policy at the Paramount, with "Sons of the Desert" on the screen and the four Albee Sisters heading the stage show, took $7,500. "Lady Killer" made a par $4,000 at the Blue Mouse. "Dinner at Eight" fell off to $6,500 in its second week. Two duals, "Eight Girls in a Boat" and "Massacre" at the Orpheum and "Girl Without a Room" and "King for a Night" at the Roxy, were weak.

$27,000 Despite Cold

A combination of "Fugitive Lovers" on the stage and Earl Carroll's "Vanities" on the screen at the Pittsburgh Penn sent the gross up to $27,000 in spite of zero weather. "I Am Suzanne" led the straight films with $6,700 at the Fulton. "Jimmy and Sally," with a revue on the stage at the Pitt, took $6,500. Other first runs were hard hit by the cold weather. "Cross Country Cruise" had a weak $1,700 at the Davis, "Four Frightened People" was down to $5,700 at the Stanley, and "Let's Fall in Love" was away off with $3,300 at the Warner.

"Sons of the Desert" on the screen and Ted Lewis on the stage at the Palace piled up a remarkable $12,500 last week, topping the regular take by $8,000. Business elsewhere was nothing to get excited about. "She Done Him Wrong" was just fair at the Apollo with $2,000, "Four Frightened People" was good for a par $3,500 at the Circle, and "Long Lost Father" took the same amount at the Indiana. "Beloved" was even at $6,000 in the Lyric.

"Hollywood" Montreal Lead

"Going Hollywood" was the big film noise of the week in Montreal. It ran up to $10,500 at the Capitol. "Miss Fane's Baby Is Stolen," helped by a vaudeville bill, reached $12,000, up by $1,500, at Loew's. "Gallant Lady" and "Girl Without a Room" had a good $6,500 at the Princess, but the other dual, "The Conquering Sex" and "Day of Reckoning," was weak at $10,000 in the Palace.

In Kansas City "The Invisible Man" on the screen and "Fifty Million Frenchmen" on the stage of the Mainstreet were good for $15,000, over par by $2,000. "Eskimo" had a good $10,700 at the Midland. "I Was a Spy" at the Uptown and "Miss Fane's Baby Is Stolen" at the Newman had a hard time meeting the competition.

"Gallant Lady" held up to $23,901 in its second week on Broadway at the Rivoli. "Women In His Life" was weak at $22,941 in the Capitol. Other Broadway takes were: "Fashions of 1934," second week at the Hollywood, $7,240; "Beloved" at the Roxy, $25,000; "Massacre" at the Strand, second week, $12,570.

Big Cheese Club List

Al Jolson, Rudy Vallee, Jack Pearl, Walter Connolly, George Jessel, Commander Paul Moss, L. Adamic, and Buford Armitage will be guests of the Cheese Club, which meets at Leone's today.

Para. Helped By Voiding of Rental Claim

(*Continued from page* 1)

Paramount Publix and brings the co pany a step nearer to its ultimate d charge from bankruptcy. Appro mately $11,000,000 in future re claims are on file against Paramou Publix while an additional $3,500,0 are on file against Publix Enterpris Hearings on one test claim for $15 000, filed against Publix Enterpri by Sunrise Corp., a theatre less have been delayed for months pendi the Supreme Court decision. It is e pected that the claim will be dismiss when it comes before Referee Hen K. Davis at the next scheduled hea ing, Feb. 27. Subsequent dismis of all other future rent claims fil against the companies are believed be assured by the Supreme Cour ruling.

Rent Claims Not Affected

The approximately $20,000,000 future rent claims filed against RK are not affected by the decision, whi applies only to estates in bankrupt RKO is in equity receivership.

The Supreme Court's ruling w handed down in connection with action brought against United Cig Stores, a bankrupt, by New York a Omaha landlords who leased prope ties to the chain store company. Ce tain leases involved were repudiat when the company went into ban ruptcy and as a consequence the lan lords filed claims against Irvi Trust Co., trustee in bankruptcy f United Cigar Stores, for rent on t unfulfilled portions of the leases. T Supreme Court's ruling upheld c cisions of the lower Federal cou in New York which had held th bankruptcy relieved lessors of liabili under broken leases and that truste in bankruptcy could not be held r sponsible for losses of rent caused repudiation of such leases.

The landlords contended that ma concerns went into bankruptcy mere to break leases, and charged that th was particularly true of chain orgar zations. Tenants countered with t assertion that landlords could n prove specific damages from leas broken in bankruptcy because t properties vacated could be rented many instances to new tenants at t same or higher rates.

Cameramen Discuss Reorganizing Unio

HOLLYWOOD, Feb. 5.—Members I. A. T. S. E. cameramen's union d cussed ways of recovering ground a meeting held tonight. Plans for reorganization were taken up.

Action had been made necessa by the new agreement between t producers and the A. S. C., which t I. A. T. S. E. men call a "compa union."

The union seeks a guarantee representation on code boards a committees for its five classificatio revision of the bylaws to conform suggestions of the members, enforc ment of wages and conditions pr vided for in the code, and pushi demands for speading employment.

olds Criterion for Another Six Months

(Continued from page 1)

ch City Bank-Farmers Trust Co. ees to discontinue foreclosure pro- dings on the property until July 1 to bring about an end of the re- ership of Seneca Holding Co., amount subsidiary which controls property.

xpenditure of the money by Para- nt was opposed by Bankers Trust , Lawyers County Trust Co. and Central Hanover Bank, all of ch are Paramount creditors. Other ditor banks, including Manufactur- Trust Co., Chemical National, k of America, Continental Illinois, First National of Chicago, ap- ved, as did bondholders protective mittees and other creditors.

A $4,000,000 mortgage on the Cri- on property comes due next year. the meantime, Paramount trustees e for a rise in Times Square realty ues which would make disposal of property profitable for an adjust- nt of the mortgage permitting Para- unt to retain the property, which been appraised by the city at $5,- ,000.

Referee Davis also authorized the stees to expend up to $500,000 in ing up claims against bankrupt sidiaries without first submitting ir purchase proposals to the referee creditors. The authorization was ght, according to A. A. Laporte, counsel for the trustees, in order facilitate the settlement of claims inst subsidiaries which would be re costly if publicized, he said. editors are to have advance notice, wever, on any matters on which blicity would not adversely affect erests of the estate.

Leases Criterion

Sam Cummins of Public Welfare tures yesterday took over the Cri- ion on 24 hours' notice and opened h "Forgotten Men." The picture played the Rialto, Harris and ans-Lux, but never a neighborhood se in the city. Booked indefinite- admissions are scaled at 25 cents 40 cents.

Weekly rent of the theatre runs be- en $800 and $1,000.

o Talk "Resurrection"

Rouben Mamoulian, the director, axwell Anderson, the playwright, muel Goldwyn, the producer, will into a story conference on "Resur- tion," the next Anna Sten picture, s morning, following Mamoulian's ival from Hollywood.

Dependent on how rapidly the con- is cleared up is Goldwyn's de- ture for Russia.

No Roxy Deal Yet

Roxy yesterday telephoned from Mi- ii where he is vacationing that "as " he has signed no deal with Para- unt for a 10-week personal appear- ce tour.

The deal is still on, however. Roxy's int is viewed as a technical one.

Ticket for Glecker

Robert Glecker left for the coast sterday with a Warner contract ely lodged in his pockets. Leo orrison agency handled the nego- tions.

Columbia Again Stays at 32; Cohn Denies Any Friction

Patience Rewarded

Arriving from the coast at 8:45 A. M. yesterday, Clark Gable was greatly surprised to find a mob of fans eagerly awaiting him to autograph books.

Alighting from the train he said:

"Anyone who gets up this early to meet a train for an autograph deserves one."

He then let himself in for writer's cramps.

Mob Gable, But Pass Up Sol A. Rosenblatt

KANSAS CITY, Feb. 5.—While a group of fans, newspapermen and photographers thronged around Clark Gable, traveling east, at the Union Station here some one informed the reporters that the man nearby arrayed in black and white checked coat, brown checked trousers and two-tone grey shoes was Sol A. Rosenblatt.

"Who's that guy?" they inquired, as Gable smiled and the flashlights boomed.

Such is fame!

Rembusch Suit Set For Hearing Today

Frank Rembusch's anti-trust suit against major producer-distributors, which has been on Federal court dockets here for several years, is scheduled to go to trial today before U. S. District Court Judge Alfred C. Coxe. Rembusch, an Indianapolis exhibitor, is represented by the law firms of Weed & Candler and Graham & Reynolds.

"Rouge" Caravan Here

United Artists' "Moulin Rouge" caravan, which left Washington by automobile on Friday, and has been making stops en route to New York, will reach this city at 3:30 today. After a reception by Aldermanic President Bernard S. Deutsch, the party will motor up Broadway past the Rivoli and then to the Roosevelt.

A supper dance will be given at the New Yorker at 11 o'clock, and the travelers will appear at the Rivoli tomorrow afternoon.

Wood May Join U. A.

HOLLYWOOD, Feb. 5.—Sam Wood may do "The Count of Monte Cristo" for Reliance-United Artists. Currently, he is preparing "Forgotten Girl" and after that will direct Gloria Swanson in a picture for M-G-M. If the U. A. offer develops, it will mean forfeiture of Wood's plan to vacation in Europe. His M-G-M contract expires in June.

Ky. Gets Sunday Bill

FRANKFORT, Ky., Feb. 5.—A Sunday opening bill has been introduced in the Senate, and is meeting with some support.

(Continued from page 1)

them. We didn't promise John Barrymore, the star in 'Twentieth Century,' but he'll star in that picture.

"My mission there was to discuss Columbia's product for next season, which will be the same number of pictures as last year, 32 features and the usual program of shorts."

Cohn reported the feeling between New York and coast executives today was better than at any other time in his experience. "Many top-line executives are now in Hollywood. They and studio executives are exchanging plans, talking matters out and the result is beneficial."

He added that Hollywood is now in the mood and is actually talking to New York executives on sales and selling angles where such a situation did not exist before.

Columbia and U. A. End Deal in Brazil

RIO DE JANEIRO, Feb. 5.—Columbia is ending its agreement with U. A., which distributes the former's product here. Emilio Alcoste has been appointed manager of the Columbia exchange to be opened in Brazil shortly under the supervision of Clarence C. Margon, in charge of South American sales for the company. Alcoste formerly was with U. A. in this territory.

Enrique Baez, in charge of Brazil sales and distribution for United Artists, is en route to Rio de Janeiro following conferences with Arthur W. Kelly. He is expected to arrive there Feb. 16.

Columbia has closed a deal with Foy Prods., for distribution of "Called on Account of Darkness." Wallace Ford, Dickie Moore and Barbara Kent headline the cast.

Ask Fox Staff for Story, Title Ideas

Fox is calling upon the sales department for title and story suggestions. Word has been sent out by John D. Clark, general sales manager, that Winfield Sheehan will welcome the suggestions.

In the latest issue of the *Dynamo*, sales department organ, Sheehan lists the types of stories he wants for Janet Gaynor, Warner Baxter, Will Rogers, Lilian Harvey, Claire Trevor and others. He points out that best selling books and Broadway hits are known to the reading department before readers generally get them and asks the staff to confine its choices to stories outside of the spectacle and costume field as far as possible.

Story suggestions are to be sent direct to Clark and title suggestions are to go to Charles E. McCarthy, publicity and advertising head.

Schiller Recuperating

E. A. Schiller, vice-president of Loew's, is recuperating from a nervous breakdown at Essex House and in the next few weeks will leave for a vacation. His doctors have suggested Europe, but Schiller probably will elect Florida.

Mayer Again Heads Producers on Coast

(Continued from page 1)

president. Winfield Sheehan was re-elected second vice-president, while Fred W. Beetson was named secretary-treasurer, with the post of executive vice-president, which he had been filling, abolished.

Named to the board of directors were Harry Cohn, E. H. Allen, Sheehan, Hal Roach, W. R. Frazier, Mayer, Emanuel Cohen, B. B. Kahane, Warner and Carl Laemmle, Jr. R. J. Obringer was the only new name added to the directorate. He represents First National.

Joe Breen was vested with responsibility additional to that of assisting Will Hays, having been placed in charge of all association matters pertaining to the production and advertising codes.

The absence of United Artists representation on the board of directors was taken to signify Joseph M. Schenck's resignation, which was tendered some time ago, had been accepted.

Para. Ups Sussman; T. X. Jones to Paris

Jerome P. Sussman has been appointed general manager for Paramount in Central America and the northern republics of South America as successor to John B. Nathan, now in New York, who has been promoted to a post not yet announced. Sussman, who formerly served Paramount in Central America, South Africa and Mexico, is aboard the *Pennsylvania* on his way to take up his new duties.

T. X. Jones, of the home office accounting staff, has been put in charge of Paramount's auditing forces in Paris. He is on his way to Europe aboard the *Manhattan* in company with John W. Hicks, Jr., vice-president of Paramount International.

See Move to Tax N. Y. Houses for Firemen

A plan to have theatres in New York pay for services extended by the city in stationing firemen backstage as protection against fire is believed to lie behind the order of Fire Commissioner John J. McElligott for reports on the salary of every member of the department assigned to such work and the amount of time spent by him inside theatres.

If such a plan should go through, the burden upon the film houses will not be as great as that shouldered by the legitimates, since the former are inspected only nightly, a fireman never remaining throughout the entire showing of a film.

Indies in Arkansas To Meet Feb. 11-12

ENGLAND, Ark., Feb. 5.—The recently organized Independent Theatre Owners of Arkansas will hold its first semi-annual meeting on Feb. 11-12 at the Marion Hotel, Little Rock. Attendance will be confined to members of the organization.

Ratification will be sought at the meeting of the constitution and by-laws recently drafted by a committee consisting of T. W. Sharp, Ray Morrow and J. F. Norman. The board of directors has recommended their adoption by the membership.

Schenck Sees Benefit In British Challenge

HOLLYWOOD, Feb. 5.—Joseph M. Schenck, returning from New York, said he intends to make cooperation rather than opposition the answer to England's challenge to Hollywood. Immediately upon his arrival he began making plans for interchange of stars, production executives and technicians with London Films, with which he formed an alliance in behalf of United Artists during his European visit.

"England by quality is compelling Hollywood to recognize its importance as a factor in screen production," said Schenck. "This does not mean Hollywood is losing supremacy as the dominating center of world production, but the challenge is a serious one requiring Hollywood to be on its mettle. We must accept this competition in friendly spirit for mutual benefit on both sides of the Atlantic. This competition will make Hollywood more alert."

Schenck said he, together with Darryl Zanuck, welcomed British rivalry and intended to foster it by interchanging talent.

Green Sees Revolt In Creative Ranks

That creative talent in the films will soon blow off the lid in its demand for a new deal is predicted by Paul Green, the playwright, in an article in the *New York Times*.

Says Green:

"The hundreds of dissatisfied creative minds, whose sole job day after day is the making of money for bankers, millionaires and stockholders, will some day—and very soon at that—break into open revolt. There is no price large enough, no iron or stone strong enough to keep a rebellious spirit indefinitely enslaved.

"Already a few independent producers, writers and artists are trying experiments in creating pure forms of cinematic art, both here and abroad. And just as the imaginative theatre has had its Appia, its Stanislavsky, and Craig, so will the new imaginative cinema have its apostles and philosophers who, following the lead of Charlie Chaplin, will give to the art, a statement of form and method.

"And when this new art has broken itself loose from the industry and professionalism of Hollywood and started on its own path, we shall see moving picture dramas worthy of the name."

Warners Sign Clive

Colin Clive yesterday was signed by Warners to appear in "The Key" with William Powell and Kay Francis. The actor, now appearing opposite Katharine Hepburn in "The Lake," will fly to the coast Sunday. Leo Morrison's office closed the deal.

Palace Deal Off

Negotiations for the Palace are off between RKO and Harry Shiffman and Jack Schwartz. Contracts have not been signed for the Cameo and the independent exhibitors are not yet operating.

NOW AVAILABLE FOR THE STATE - RIGHT MARKET

DO WHITE MEN GO NATIVE IN THE JUNGLE?-See



IDEAL PICTURES CORP.
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Looking 'Em Over

"Fury of the Jungle"

(*Columbia*)

Though "Fury of the Jungle" has all the familiar twists that have come to be expected of films set in the jungle country it is a suspenseful and rather well-done piece of work. Then, too, there is plenty of first-rate acting.

Alan Dinehart, as black a villain as ever bulldozed his way through celluloid, is the head man of a jungle cesspool. He makes the laws and enforces them to suit his own purposes. Among those in the settlement are Dudley Digges, a sodden doctor, and Donald Cook, hiding from the law over an affair involving a woman.

When Peggy Shannon, traveling up the river with her fever-racked brother, puts up at the settlement so that the latter may obtain medical attention, Dinehart and his right-hand man, Harold Huber, go for her. Cook becomes attached to her and Dinehart and Huber try to get him out of the way. But Cook comes out on top. Huber is treacherously killed by Dinehart, who in turn is thrown into the crocodile-infested river in a struggle with Cook.

The film has a number of exciting moments and the atmposhere is good. Clarence Muse and Toshia Mori are other players. Roy Neill is responsible for the direction.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Men in White"

(*M-G-M*)

HOLLYWOOD, Feb. 5.—Fine entertainment, done with strokes that lift its touching story completely out of the hospital background atmosphere and makes it an absorbing feature. Intelligently directed by Richard Boleslavsky so that all the subdued power of the Sidney Kingsley stage play is retained, it presents Clark Gable as a sersatile actor and Jean Hersholt, Myrna Loy and Elizabeth Allen in excellent performances.

The plot has Gable, young interne protege of Hersholt, famous doctor, torn between two desires—years of study and a career devoted to service of humanity and love or marriage and happiness with Miss Loy. Saving a child's life leads to a clandestine romance with a student nurse, Miss Allen, as the disappointed Loy spurns his bid for a date. Internal conflict raging, Gable would junk everything and marry Miss Allan. An operation necessary on the critically ill nurse finds her begging Miss Loy to consider her lover and his career, as Hersholt adds his plea that she does not stand in the way. As Miss Allan dies on the operating table, the true woman is evidenced as Miss Loy asks Gable why he did not come to her. The climax has Miss Loy sacrificing Gable to his career, hoping that some day they will meet in Vienna, where he will study further under Hersholt.

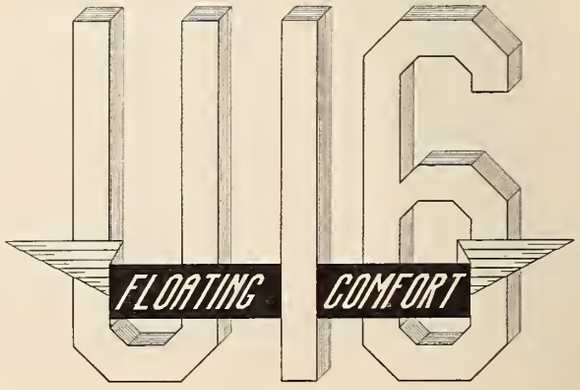
The heavy mood of the story is lightened by well-chosen comedy sequences with Wallace Ford and Russell Hopton. While there are no smash scenes building to climaxes, suspense which counterbalances action and dialogue, continually holds interest at a high pitch.

Cast names, plus human interest theme of the story, which majors in sympathy and pathos should insure popular reception from classes and masses.

Plan Cleveland Club

CLEVELAND, Feb. 5.—John Harris of Pittsburgh, national Variety Club president, will meet here at the Statler on Tuesday with a group of local film men to form a Cleveland Variety Club.

Those asked to attend the meeting include J. E. Fontaine, Paramount district manager; Frank D. Drew, M-G-M branch manager; I. J. Cchmertz, Fox branch manager; Nat Wolf, Warner theatre division manager; Nat Holt, RKO district manager; George Roberts, Fox district manager; Harry Howlett, WHK studio manager; Fred Meyers, *The News;* E. C. Flanigan, exhibitor, and M. B. Horwitz, exhibitor.



The Pay-Off

(*Continued from page 2*)

sons ago. "Theatres with less tha normal admissions could raise the on big pictures and do the san volume of business they are no doing at sub-par scales," he d clared, adding: "Low prices do n attract any additional patronage f the 'turkeys.'"

Maybe, yes; maybe, no. Low a missions, reflection of the time continue to prove attractive an while it may be true that big pi tures will stand tariff increases, th experiment on a wholesale sca easily may prove to be a dubiou one.

Aside from all that, why not giv the public a break when worth while attractions come along? Th rank and file are asked and gene ally have been supporting picture many bad, within their shortene means. Why sock it in when th good ones go on parade?

▼

A STORY—short, the point and complete of itself

"Years ago when the industry was growing, I preached against its going into the stock-jobbing business and branching out into alien fields. The crash came and my warnings were justified. If the film industry stays in its own field and cultivates its own vineyards, it will reap success because it is sound, stable and legitimate."

A. H. Giannini, chairman of th executive committee of the Ban of America, is talking. This banl er, long a friend of the industr and true to his tenets by financin production to the tune of million gives the industry the benefit of long experience and fruitful expe ience.

Will the business take it? If does, if it remains sensible an within the confines of modesty, a will be well. If it does not, som where in the years to come will t another 1929.

Has the lesson of the depressio been learned? All those to who this industry means something wi pray so. Fervently. KAN

Columbia Film Is Set

"It Happened One Night" is tent tively set for the Music Hall, star ing Feb. 22.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

...35. NO. 32 NEW YORK, WEDNESDAY, FEBRUARY 7, 1934 TEN CENTS

...nes Stirs Speculation Over Credit

...dustry Leaders Study Warning to Banks

...dustry leaders are speculating on ...probable effects on credit of Jesse ...ones' warning to the New York ...e Bankers' Ass'n. that if loans ...not extended more freely the Fed... government may go into the busi... of lending.

...speak both as a banker and as ...rman of the Reconstruction ...nce Corp.," Jones told his listen... and this is taken by film execu... who do not care to be quoted ...he moment as an indication that ...message reflected the views of the ...ident.

...nes described the depression "as ...ily behind us" and appealed to his

(*Continued on page 8*)

...nqualified Code Assents Now 7,002

...nqualified assents to the code ...ed the 7,000 mark yesterday with ...receipt of 68 additional forms ex... ...ed according to the form pre... ...ed by the Code Authority.

...n Monday, code assents totaled ...4. The 68 received yesterday ...ught the total to date to 7,002. ...re than 8,000 assents are expected ...re the final deadline for receiving ...n, Feb. 28.

...uthority Members To Hire Attorneys

...ivision Administrator Sol A. Ro... ...latt will be represented by the ...rney General's office and the NRA ...l department in the action brought ...inst the Code Authority by the ...gress, Newark, and sponsored by ...ed States, John C. Flinn, execu... secretary of the Code Authority, ... yesterday following a telephone

(*Continued on page 8*)

...obinson Balks An Attack on the NRA

...ASHINGTON, Feb. 6.—Only prompt ...on by Senator Robinson of Arkan... Democratic floor leader, prevented ...mediate consideration today of a ...olution introduced by Senator Nye ...North Dakota which would focus

(*Continued on page 8*)

No Relatives Out of Para., Says Cokell

Resumes Testimony at Creditors' Hearing

No instances of relatives of Paramount Publix executives being discharged as a result of the preparation of a list for John Hertz, former chairman of the finance committee, detailing relationships within executive ranks could be recalled yesterday by W. B. Cokell, assistant treasurer of the company, as he resumed testimony in a Paramount creditors' examination before Referee Henry K. Davis.

Cokell testified a week ago that Hertz had requested him to prepare the list of relatives, and under cross examination yesterday by Saul E. Rogers, attorney for a Paramount bondholders' group, said that with the exception of Sam Katz, who resigned,

(*Continued on page 11*)

New Union Is Still Discussing Scales

New wage scale contracts for ushers, doormen, ticket takers and janitors are still in a process of negotiation between Local 118, Building Service Employes' Union, and New York circuits. The local expects the first contracts to be closed within the week.

Negotiations with Paramount, the Roxy and Rialto are under way and conferences with Loew's are scheduled for later. The local claims a membership of about 4,500 now. A meeting of the organization may be called late this week to vote authorization to Charles C. Levey, secretary-treasurer, to call either a general strike or strikes against individual houses.

Farnsworth Out of Theatre Authority

WASHINGTON, Feb. 6.—First steps toward making effective the NRA policy of removing administrators from service on code authorities once the codes for industry divisions which

(*Continued on page 8*)

Zirn Prepares to Go Into Highest Court

Samuel Zirn, attorney for a Paramount Publix bondholders' group, moved yesterday to take two legal actions involving the Paramount bank-

(*Continued on page 11*)

Secrets

Something is in the wind and it has to do with plans of the Actors' Screen Guild. Kenneth Thomson, now on his way back to Hollywood, made a trip here to see Eddie Cantor, president of the Guild.

Cantor, however, refuses to comment on what it's all about.

Stage Talent Wage Slashes To Be Fought

Prospects of vigorous opposition to any changes in the code provisions covering stage talent loomed last night as a sub-committee appointed by the Code Authority convened at the New York Athletic Club to agree on prospective changes.

The sub-committee will report its findings to the Code Authority at the Friday meeting of that body. Members of the sub-committee are: Sam Dembow, Jr., Paramount; Major L. E. Thompson, RKO; Joseph Bernhard, Warners; Louis K. Sidney,

(*Continued on page 8*)

Educ'l Expected to Keep Present List

Educational probably will stay at its present quota of short subjects for 1934-35, according to Earle W. Hammons, who declared yesterday final plans had not been completed. Preliminary discussions, however, have been held with Fox sales execu-

(*Continued on page 11*)

Aylesworth to West On Studio Problems

M. H. Aylesworth, chairman of the board of Radio Pictures, left for Hollywood yesterday for the announced purpose of aiding in the reorganization of the studio along unit producer lines, following the resignation of Merian C. Cooper as production head.

Walter Trumbull to Do MPPDA Publicity

Walter Trumbull, who served as introducer of the radio talks nationally broadcast last summer by Louis McHenry Howe, one of the President's

(*Continued on page 11*)

Vitaphone vs. Erpi Goes to Arbitration

Delaware Supreme Court Rules on Appeal

DOVER, DEL., Feb. 6.—The long-standing differences between Vitaphone and Erpi must be determined by arbitration as set forth in the original contract between the two companies, the State Supreme Court held today.

The decision held the Chancery Court in Wilmington should have refused to assume jurisdiction in the accounting suit filed by Vitaphone against Erpi, held that the lower court erred when it overruled Erpi's plea that all matters involved in the litigation should be submitted to arbitration in New York and erred in ordering the defendant to file an answer to the bill of complaint.

The opinion added that the arbitration proceedings which have been in progress for four years have not wholly broken down and failed in their purpose and that Vitaphone was not justified in repudiating obligations entered into by it, and, having done so, is entitled to no relief from the courts here. Vitaphone alleged a breach in three royalty contracts by the defendant.

The court today revealed that arbitration, as far as it had gone in New

(*Continued on page 8*)

Court Orders 306 Men Back to Jobs

In denying a re-argument to the I.T.O.A. for alleged violation of New York State laws when local exhibitors discharged 55 operators of Local 306 from 11 theatres, Judge Collins in the Supreme Court yesterday upheld the NRA Regional Labor Board and ordered the dismissed men returned to their former posts.

Local 306 recently was granted a

(*Continued on page 11*)

Two Radio Stations In Deal with MPTOA

Two radio broadcasting stations against which complaints of unfair competition have been brought by M. P. T. O. A. members have indicated they will cooperate in eliminating the practices complained of, Ed Kuykendal, M. P. T. O. A. president, reported

(*Continued on page 8*)

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Publix Keeps Hold Upon the McVickers

CHICAGO, Feb. 6.—Publix will continue to operate McVickers through B. & K., payments due Jones, Linick & Shaefer on the property having been made up to May 1. Rumors that the house might pass back to J. L. & S. preceding the February installment just made again proved groundless.

Goldstein West Soon

E. H. Goldstein, executive vice-president of Majestic, leaves for the coast shortly to negotiate with a producer to succeed Phil Goldstone. In the event Goldstone cancels his contemplated trip to Europe, he will accompany the Majestic executive west and help appoint his successor.

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Insiders' Outlook

MUCH talk yesterday and nothing official about Nicholas M. Schenck, A. C. Blumenthal, the Roxy and the Capitol. Schenck is four days out, Hollywood-bound and Charles Moskowitz was tied up in some high-powered meetings at Loew's yesterday. "Blumy" either was available and didn't want to talk or wasn't around. The story had to do with Schenck's reputed interest in taking over the Roxy with bondholders willing if Metro product went along. The b.h. are after a profit and are sure Metro housed in the Roxy will do it. Blumenthal is the agent in the case. . .

▼

The Capitol, for years and years the Metro home on Broadway, is operated by the Moredell Realty Corp. Messmore Kendall is president and also supplier of the name, coined, as all may see, from the last letters of both of his handles. Kendall is half owner. So was the old Goldwyn company which is how that half passed to what is now known as M-G-M. It was the late Marcus Loew who made the deal and history seems to remind Schenck and Dave Bernstein originally opposed it. At any rate, the contract, dating back to '17 or '18 was to run 20 years, the bulk of those two decades now having run their course. . .

▼

In Schenck's mind is reported to be a picture of Broadway in 1934 with its 15 cent theatres, its flea circuses and muscle-flexing store shows. Also in his mind is reported to be a vivid picture of New York's new amusement center, which, in other words, is Radio City. The Roxy is one block from Music City, according to the amusement primer, and there seems to be pretty much the whole story. Yesterday's reports made considerable of a third angle, purporting to deal with a hitch in negotiations because Schenck was endeavoring to tie in the Roxy with the Capitol probably on a plan which would keep the latter from falling into too competitive hands if M-G-M and Loew's decided to move. It's all very interesting. . .

▼

Tuesday excitement according to Hollywood and its lights: That the Laemmles were negotiating right here in little old New York with three producers to produce independently, each contributing six pictures a year. Harold B. Franklin was named one. Puncturing the excitement: There probably has been no period in Universal's history when there haven't been a round two dozen or more deals submitted from producers of various ilks and nothing that rates comment at this moment. Straightaway and lowdown, however, is this: Anything Universal releases next year by way of features will be made on the company's own lot. That's definite and important, as you will hear about further in the near future. . .

▼

Broadway picture interests are not too happy over extension of the radio broadcasting invasion, what with lease of the Hudson by CBS. Tickets are available with-

(Continued on page 11)

Many Issues Slip on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	26½	26	26½	— ⅛	400
Consolidated Film Industries	4⅞	4⅜	4⅞	.....	700
Consolidated Film Industries, pfd	15½	14½	14¾	.....	2,300
Eastman Kodak	92¼	90¼	92	+ ¼	1,100
Eastman Kodak, pfd	125¾	125¾	125¾	+2¾	1,000
Fox Film "A"	17⅞	16½	16⅞	.....	6,200
Loew's, Inc.	34	32⅜	33⅝	+ ¾	60,600
Loew's, Inc., pfd	85¾	85	85¾	+1	200
Paramount Publix	4⅛	3½	4⅛	+ ⅝	61,600
Pathe Exchange	3	2¾	2⅞	— ⅛	4,900
Pathe Exchange "A"	14⅞	14⅛	14¾	— ½	.....
RKO	3⅜	3¼	3⅜	.....	9,500
Universal Pictures, pfd	26½	26	26	— ½	5,000
Warner Bros.	8¼	7⅝	7⅞	— ⅛	23,600
Warner Bros., pfd	24¾	24	24	— ½	200

Universal Gains One on Curb

	High	Low	Close	Net Change	Sales
Sentry Safety Control	⅜	5/16	5/16	.....	500
Technicolor	9¾	9½	9½	— ⅜	600
Universal Pictures	4¼	4	4	+1	200

RKO Bonds Jump Seven Points

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	7½	7	7⅛	+ ⅛	17
General Theatre Equipment 6s '40, ctf	7	6¾	6¾	— ¼	9
Keith B. F. 6s '46	63½	62	62	— ½	14
Loew's 6s '41, ww deb rights	96	95	95	—1	32
Paramount Broadway 5½s '51	39	36	38	.....	21
Paramount F. L. 6s '47	42	40	42	+2	41
Paramount Publix 5½s '50	42¼	41	42	+1	84
Pathe 7s '37, ww	90	90	90	+ ½	2
RKO 6s '41, pp	35	32	35	+7	8
Warner Bros. 6s '39, wd	58½	56¾	56¾	—1¼	83

Purely Personal

MARY CARLISLE, ANNA NILSSON and ROSCOE ATES, members of the "Moulin Rouge" cast talked over WOR last night.

SYLVIA SIDNEY ends her vac here today and leaves for the to start work in "Thirty Day P cess" for B. P. SCHULBERG.

KATHARINE HEPBURN sails f European vacation shortly.

P. J. WOLFSON and ALLEN RI have sold "Star Express" to M-G

Disagree on Status Of K. C. Litigati

KANSAS CITY, Feb. 6.—While ords at the Jackson County Ci Court show the receivership against the Midland Investment was dismissed last Friday by plaintiffs, their attorneys insist suit has not been withdrawn.

Last week-end, the same attor announced that the action had dismissed following "a settlement s factory to both sides." They refe inquiries as to terms of settlemen Leopold Friedman, general counsel Loew's, Inc., in New York, repres ing the defendant company.

Herbert M. Woolf, one of the p tioners, before leaving for a soutl trip early this week, told Mo PICTURE DAILY no satisfactory se ment had as yet been effected and suit was still pending. The o plaintiffs are M. B. Shanberg F. H. Reid.

Leopold Friedman, Loew's gen counsel, stated last night that the "had been adjusted."

Novarro Set for Capit

Continuing its policy of n attractions, the Capitol will fea Ramon Novarro on the stage star the week of Feb. 16. The M-G star will appear in conjunction v "Cat and the Fiddle."

Beginning Friday, Lionel Ba more and Buddy Rogers will g the stage.

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NOW IN PREPARATION
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"CAROLINA" IS HOLD-OVER HIT! BEATS "PADDY" IN KEY CITIES!

● Again FOX does it . . . as freezing weather and terrific blizzards fail to slow up "Carolina" after spectacular openings everywhere! Extended playing time necessary. House records topple. Watch for more great news as "Carolina" continues its great box-office march.

FOX, Philadelphia. Far above anything else this season. Built after tremendous opening, despite storm. HELD FOR SECOND WEEK.

HIPPODROME, Cleveland. Blizzard failed to stop it after biggest opening in theatre's history. S.R.O. all week. HELD FOR SECOND WEEK.

CAROLINA, Charlotte. Capacity business at increased admission. Switched to the STATE also at increased scale for first-run HOLDOVER.

KEITH, Dayton. Sensational week beats "Paddy" figures for this town. Tremendous crowds as opposition wilts.

NEW, Baltimore. Now in its SECOND PHENOMENAL WEEK. Greater than "Paddy" and "State Fair." Manager now planning THIRD WEEK HOLD-OVER.

UPTOWN, Kansas City. Complete sell-out at midnight preview. Opening day capacity throughout. More than twice "Paddy" business. Beat "State Fair."

STATE and CAPITOL, Richmond. First-run, day and date opening terrific success. Set new records at the Capitol, beating "Paddy" and HELD FOR SECOND WEEK.

AND THAT'S ONLY THE BEGINNING!

JANET GAYNOR
LIONEL BARRYMORE
in
"CAROLINA"

ROBERT YOUNG • HENRIETTA CROSMAN
RICHARD CROMWELL • MONA BARRIE
STEPIN FETCHIT

Directed by HENRY KING. From "The House of Connelly" by Paul Green

Produced by
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PAR

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CHARL
W.C. FIEL
GEORG
"SIX
A Paramo

r!

MOUNT

names for it!

Paramount Pictures

UGGLES · MARY BOLAND
ALISON SKIPWORTH
URNS · GRACIE ALLEN
OF A KIND"
cture • Directed by Leo McCarey



Vitaphone vs. Erpi Goes to Arbitration

(*Continued from page* 1)

York prior to Vitaphone's withdrawal, had cost Erpi $450,740 and Vitaphone about $300,000 which they had admitted. Arbitrators were being paid at the rate of $1,000 a day during the proceedings, plus expenses.

Refers to "Unclean Hands"

The court went into an extensive quotation of cases in which parties to contracts have come into court with "unclean hands," saying at one point:

"This rule and the doctrine of 'unclean hands' upon which it is based, would not apply, however, if a contract to arbitrate was not repudiated arbitrarily and unreasonably and, therefore, without good and sufficient cause.

"By reason of that fact, the complainant attempts to justify its failure to abide by its contract to arbitrate its pending disputes in this case, and its appeal to the court below for relief, by the contention that the arbitration proceedings have broken down and have absolutely failed to accomplish their purpose."

The opinion recited that Samuel Untermyer, the first arbitrator, resigned April 11, 1930, after 32 sessions of the board had been held. Frank J. Hogan, a Washington, D. C., attorney, succeeded him and served at 30 hearings during which 4,079 pages of typewritten testimony were taken.

The opinion says there were delays in concluding arbitration proceedings, but "they are always inevitable" in proceedings of that nature. "As a matter of fact, as far as the records show, it seemed delays were almost entirely caused by arbitrators selected by the complainant," the opinion said.

Held Governed by N. Y. Laws

In conclusion the court said: "As we have already seen, the arbitration contracts of May 18, 1927, were made in the State of New York and were to be performed in that state. They also contained clauses providing that they should be construed according to the laws of the State of New York; and by statute such contracts were irrevocable and enforceable in that state. These contracts were also repeatedly ratified in the State of New York by subsequent contracts to which the complainant was a party relying on these contracts.

"The respondent collected and presented a great mass of testimony before the arbitrators named in defense of the claims made by the complainant against it. In the preparation of the trial of its case it also incurred tremendous expenses in the way of attorneys' fees and otherwise which, it alleged in its plea, will be of no benefit whatever to it if the authority of the arbitrators to decide the case submitted to them is revoked."

Judges Layton, Harrington, Richards and Reinhardt presided. G. F. Hurd of New York and Christopher L. Ward of Wilmington represented Erpi. George Wharton Pepper of Philadelphia and Hugh M. Morris of Wilmington appeared for Vitaphone.

Authority Members To Hire Attorneys

(*Continued from page* 1)

conversation with Rosenblatt at Washington. Individual members of the Code Authority will be expected to retain their own counsel.

A decision on making a Code Authority appropriation to cover the cost of defending the individual members will be made at Friday's meeting of the Authority. Indications are that the expense of Flinn's defense will be borne by the Code Authority, whereas individual members may elect to retain and pay for their own counsel. One or two attorneys may be selected to represent all members, it is believed.

Farnsworth Out of Theatre Authority

(*Continued from page* 1)

they helped devise are established and functioning, came today with the resignation of Deputy Administrator William P. Farnsworth as a member of the legitimate theatre Code Authority and the appointment of Robert K. Straus, son of the ambassador to France, as his successor.

Farnsworth is expected to continue as a member of the radio Code Authority until it is well under way and then to step out in favor of someone less closely connected with the code.

Division Administrator Rosenblatt also is expected to be removed from the film Code Authority, but probably not until the machinery is running smoothly and present difficulties have been ironed out.

Sales Heads Again Talk Code Problems

The second of a scheduled series of meetings of major company sales executives and circuit representatives on interpretation of trade practice provisions of the code was held yesterday at the M. P. P. D. A. offices.

Object of the meetings, more of which will be held from time to time, is to equip major company distribution chiefs with a set of standard instructions on their obligations under the code.

It's Don Thornburg

Don Thornburg of the Strand and Family at Marshalltown, Iowa, has a beef. He was nominated by Allied of Iowa for a post on the clearance and zoning or grievance board for his territory as Don Thornley and also says he has been mentioned as not having signed the code. "I was one of the very first to sign and sent it registered mail, return receipt and have the returned receipt dated as received Jan. 13," he declared in a letter to MOTION PICTURE DAILY.

Cleveland Hears It

CLEVELAND, Feb. 6.—Persistently reported as having been selected for posts on Cleveland's clearance and zoning or grievance board are these men:

Nat Lefton, Monogram; Martin G. Smith, Toledo exhibitor; Dan Robins, Warners, and Frank Drew, M-G-M.

Stage Talent Wage Slashes To Be Fought

(*Continued from page* 1)

Loew's; George Skouras; Jack Partington, F. & M.; Henry Chesterfield, N. V. A.; Walter Whitehead, Actors' Betterment Ass'n.; C. B. Maddock and Marty Forkins, vaudeville producers.

Eddie Cantor, Administration representative on the Code Authority, and Mrs. Dorothy Bryant, secretary of Chorus Equity, gave advance notice yesterday that they would oppose any move by the sub-committee of Code Authority to decrease minimum wages or increase maximum hours of stage talent from the present code standards.

Cantor was reported prepared to resign his Code Authority post if adverse changes resulted; while Mrs. Bryant served notice that she would argue before Division Administrator Sol A. Rosenblatt that the code has not been in effect long enough to warrant changes in labor and hour provisions for stage talent.

John C. Flinn, executive secretary of the Code Authority, said yesterday that it had no formal notification of the protests of either Cantor or Mrs. Bryant, nor had it any advance intimation of what action the sub-committee would take. He said that no report of the committee's action at last night's meeting was expected by the Code Authority before Friday's meeting.

Robinson Balks An Attack on the NRA

(*Continued from page* 1)

the glare of publicity upon the N.R.A.

Nye's resolution, which he declared he would press at the earliest opportunity, calls for a report showing the names, position and compensation of all Recovery Administration employes other than clerks and stenographers; their present and past business connections; codes with which they have been connected; positions held by all officials who have left the Administration and Code Authority connections of such persons; names of all members of all Code Authorities and their business connections and a separate list of the codes handled by each administrator, deputy administrator and assistant deputy administrator.

Final Code Board Report Tomorrow

The Code Authority committee appointed to pass on nominations for local grievance boards will meet tomorrow to prepare its final report to be submitted to the Code Authority at the Friday meeting of that body.

Also meeting tomorrow to complete a report for the Friday meeting of the Code Authority is the committee charged with preparation of a manual on procedure for grievance boards.

Oliver for Rivoli Job

Hal Oliver, formerly with RKO, is set to join the Rivoli as publicity representative, succeeding James H. MacFarland.

Jones Stirs Speculation Over Credit

(*Continued from page* 1)

audience to put fear behind it and ge behind the President's recovery pro gram.

"If we continue waiting on the side lines for complete recovery and as sured values, readily marketable, na turally there can be no recovery," h said pointedly.

Jones said he would be the last ma in the world to advise "loose credits,' but he said he was of the opinion tha "too little credit and too severe term at this time would be worse than to much credit."

Later in his talk Jones sharply hi at the impression that there had bee too much government supervision o banking and expressed the opinion tha recent events had demonstrated ther has not been enough.

As one reason for easier credi terms the speaker pointed out that in surance of deposits now makes thi more desirable.

Congressional demands for fre credit may force through a law au thorizing the RFC to make direc loans, Jones warned.

Continuing, he said: "I wonder i the trouble is not in part that we ar still suffering from shell shock—stil afraid. Of what, I am unable t divine. If property, and that take in every scope of investment, has n value upon which to lend, then ou money can have no value. But thi is not open to question. Our prop erty has value and our money ha value. It will always be so in Amer ica. Furthermore, the depression i over and we are assuredly on the up grade."

The address was received with mil applause.

Two Radio Stations In Deal with MPTOA

(*Continued from page* 1)

yesterday on his arrival in New York

Complaints against other station are being brought directly to the at tention of their operators, and if n relief is granted they will be filed wit the Code Authorities of both the film and radio industries, Kuykendall said He plans to remain in New York un til after the film Code Authority meeting Friday.

Moss to Study Theatres

Paul Moss, new license commissioner for New York, yesterday stated h has not yet had time to look into th picture theatre situation on violations and that he expected to shortly. H said he had no illusions about th theatre and while he was for clean plays did not intend to make himself a censor for New York. He added that he intended looking into the fake booking agent racket as a result o many complaints to his office.

Warners Drop One

Warners have dropped the Rex East Rutherford, N. J., recently taken over from Al Gottesman. Samuel Kanter is reported to have acquired it

T'S HERE!

it's the
V-8
of
the theatre

AUTOMOBILE INSPIRATION CONCEIVED IT

modern
as the
airflow"
auto

What is it? What does it mean?

The New Deal in theatre seating

Tomorrow!—Hotel Astor—Friday!

20 YEARS RESEARCH BEHIND IT

THE AUTO INDUSTRY'S GIFT TO THE THEATRE

not a
oduction!
it's a
Creation!



I invite you all to attend the New York Premiere of the U 16, with Floating Comfort—"The New Deal in Theatre Seating"—on Thursday and Friday of this week, at the Astor Hotel, Suite 158.

J. George Steinberg

Reviewers Set Varied Talks At 3-Day Meet

Two general program divisions will mark the three-day annual conference of the National Board of Review which gets under way tomorrow at the Hotel Pennsylvania. They are: "A Quarter Century of Organized Motion Picture Progress" and "Motion Picture Research and Appreciation."

It will be the 25th anniversary of the board.

Among the conference speakers will be: Prof. LeRoy E. Bowman of the Child Study Ass'n. of America; Dr. A. A. Brill, psychiatrist; Mrs. Frances Taylor Patterson, Columbia instructor in photoplay composition; Dr. Worth M. Tippy, executive secretary, Department of the Church and Social Service, Federal Council of Churches of Christ in America; William Lewin, chairman of the committee on photoplay appreciation, National Council of Teachers of English; Gretta Palmer, women's page editor of the *World-Telegram;* Dr. F. Dean McClusky, National Education Ass'n's department of visual instruction; Isabel Kennedy, secretary, Pittsburgh Federation of Social Agencies.

Screen Stars at Luncheon

Stage and screen stars are to be invited to a luncheon Friday, at which Dr. George W. Kirchwey, dean of Columbia Law School, will preside. The speakers will include Bishop Francis J. McConnell, Division Administrator Sol A. Rosenblatt, John Collier, commissioner of the Bureau of Indian Affairs; Elmer Rice, playwright, and Terry Ramsaye, editor of *Motion Picture Herald.*

Specific topics under the program section called "A Quarter Century of Organized Motion Picture Interest" will be: "The National Board of Review—Its Functions, Yesterday and Today"; "The Problems of Motion Picture Review—How It Should Focus In Order to Reflect Public Opinion and Perform the Necessary Critical Function"; "The Films and the Community—What Has Been, and Can Be Accomplished, and How to Organize a Community for a Specific Purpose"; "The Supporting Church Interest in Community Motion Picture Organization" and "The Response of the Producer to the Cooperative Public Effort."

Other Topics Listed

Under the second topic of "Motion Picture Research and Appreciation" there will be addresses on "What Can Research Prove?" "How Research Can Be Related to the Community Effort Pertaining to Motion Pictures," "Motion Picture Appreciation in the High Schools," "A Writer's Viewpoint on Films in Relation to Children" and "The Place of Research in Visual Instruction."

Two night showings are to be given. The first will be tomorrow night at the New School for Social Research, 56 W. 12th St. On this program will be "Catherine the Great" and "Grain Race," a three-reeler by Allen J. Villiers, showing sailing ships rounding Cape Horn. The second showing will be at the Fifth Ave. Playhouse—"Love of a Poet," by Jean Coteau, and a two-reeler, "Lot in Sodom," by Dr. Huntley Watson, Jr.

Looking 'Em Over

"Murder on the Campus"

(*Chesterfield*)

"Murder on the Campus" is another one of those guessing games. And again, as in so many of these mystery films, the prize guesser is a newspaper reporter, with the police just a lot of chumps. This one keeps one guessing pretty furiously as to the identity of the person who killed a college lad, presumably while the latter was playing the chimes in the campanile on the campus. The finger is kept off the murderer until the last few minutes of the film.

Edward Van Sloan is the killer. A wealthy professor and criminologist, he turns to murder when he is threatened with blackmail over his friendship for a pretty co-ed. The blackmailer, the chime-playing student, is found shot at the top of the bell tower. How in blazes did the murderer get away without being seen? As it turns out, the blackmailer was already dead when brought there. The sound of the chimes was an electrical transcription, as was the report of the pistol shot, all made in Van Sloan's laboratory and sent out over a loud speaker.

Other players include Shirley Grey, Charles Starrett, J. Farrell MacDonald, Ruth Hall and Maurice Black. Richard Thorpe directed.

Report Soviet Film Party on Way Here

HOLLYWOOD, Feb. 6.—An unidentified delegation of Soviet film representatives is said to be en route here from Moscow to study production methods at local studios and line up technical talent for Soviet production.

Boris Petroff, former stage producer at the New York Paramount and now under contract at the Paramount studio as a writer, is responsible for the report. He relates, too, that a "prominent woman in the film industry" whom he is unable to identify by name now, is an advance agent in lining up talent here for Soviet production and had come to him with an offer to work in Moscow. Lewis Milestone was also reported to have received a similar offer.

The New York office of Amkino, Soviet film representatives, yesterday denied knowledge of either the approach of the delegation reported en route from Moscow or of any Hollywood agent authorized to make offers for talent to work on Russian productions.

Kane Going Abroad

HOLLYWOOD, Feb. 6.—Robert T. Kane, an associate producer at Fox, plans a trip overseas about May 1 to take a look at the company's foreign production situation. Fox contemplates opening a laboratory in Rome to handle "dubbed" versions, but decision on this score will be reached at New York conferences prior to Kane's sailing.

In the meantime, he is busy preparing "Gypsy Holiday" for production around March 15. Erik Charrell will direct.

Laemmle Buys Plays

Carl Laemmle, Jr., now in New York, closed two story deals by wire yesterday. One was for a play, "Frailty," by Edith and Edward Ellis, and the other was for "Humbug," by Max Marcin.

Missouri Tax Must Be in Sale Prices

KANSAS CITY, Feb. 6.—Missouri's one-half of one per cent sales tax cannot be passed on as a tax. Under a ruling by Roy McKittrick, attorney general, if theatre owners or other business men do not wish to absorb the levy, it will be necessary to raise the price to that extent.

The attorney general's opinion is based on the theory the tax is an occupation or privilege tax and not a sales tax, as it was called by the legislature which enacted it, and therefore, if it is passed on to the consumer, the sale price must include the levy. The selling price and the amount of the tax added cannot be set out separately.

Vending machines in theatres are subject to the tax on gross sales. The operator, although not the owner of the machine, is liable for the tax.

The attorney general has issued a 50-page manual for use of those liable to tax.

Form Cleveland Club, With Fontaine Head

CLEVELAND, Feb. 6.—A Cleveland Variety Club was organized today by John Harris, James G. Balmer and J. T. McGreevey of the national Variety Club at a meeting at the Hotel Statler.

Officers were elected as follows: J. E. Fontaine, president; H. M. Addison, first vice-president; F. D. Drew, second vice-president; I. J. Schmertz, secretary; M. B. Horwitz, treasurer. Named directors were George Roberts, Nat Holt, Nat Wolf, E. C. Flanigon, Harry Howlett and Fred Meyers.

The next meeting will be Monday. The club plans to raise its charter membership to 50. Headquarters will be at the Statler.

Portland's Ban on Nazi Film Removed

PORTLAND, Feb. 6.—Upholding the reviewers for the censor board who passed "S. A. Mann Brand," first Hitler picture, and reversing the censor board, which revoked the license, the city commissioners voted unanimously to permit the showing of the film at the Taylor Street.

Midwest Gain Now Reaching Into Theatres

Theatres in the midwest are beginning to feel the effects of the general business pickup, reports show. In Detroit, one of the hardest hit in the country during most of the depression it's due to the spurt in the automobile business; in Cleveland it's an improvement in the steel trade, and in Akron it's something approaching a boom in rubber plants.

DETROIT, Feb. 6.—More workers are back in the automobile plants than at any time during the past three years and exhibitors are beginning to feel more cheerful.

Automobile plants have unfilled orders and more men are back in the plants than any time since 1929. The Board of Commerce says the total is about 75 per cent of the average from 1923 to 1925. This is 50 per cent higher than last year, and does not include CWA workers.

CLEVELAND, Feb. 6.—Steel plants here are now at 69 per cent of capacity, the highest point in nearly four years. Employment is now 17,36[illegible] above the low point of March, 1933.

Other industries show gains as follows: Textiles, 1.8 per cent; paper and printing, 5 per cent; non-ferrous metals, 2 per cent, and lumber, 7.[illegible] per cent.

AKRON, Feb. 6.—The rubber industry, which dominates this town, is experiencing an almost unprecedented mid-winter demand for product. Four of the major tire companies have just granted another sizeable pay increase affecting 40,000 employes, many of whom now are receiving a higher hourly wage than in the peak year of 1929.

This condition is bound to be reflected in materially increased theatre attendance, is the consensus of opinion among local exhibitors.

Three in Charge for F. & M. in St. Louis

ST. LOUIS, Feb. 6.—Harry Greenman, Charles E. Kurtzman and Harry Koplar are in active control of the Fox and St. Louis under the new deal by which these houses are run for F. & M. through a subsidiary.

Greenman has been manager since before the start of the receivership.

Delay Rembusch Trial

Opening of the trial of Frank Rembusch's anti-trust action against the M. P. P. D. A. and individual member companies was postponed yesterday to Feb. 13 by U. S. District Court Judge Alfred M. Cox at the request of Max D. Steuer, attorney for the defendants. The Rembusch action alleges a conspiracy in restraint of trade and asks for damages aggregating more than $2,000,000.

Russo on U. A. Publicity

Richard Russo has joined the U.A. publicity staff. He is a former high school and college football player.

lo Relatives Out of Para., Says Cokell

(Continued from page 1)

l some of his relatives who left company at about the same time, those on the list were still in the ploy of the company. He excluded, course, the late Emil Shauer, for- r foreign manager and a brother- law of Adolph Zukor, who died ently.

Rogers inquired whether the profit ring plan patterned after that in ce in the General Motors organiza- n and favored by Hertz, contem- ted profit sharing for "executives employes," and was told by Cokell t Hertz's interest was primarily in "rank and file."

Wanted Profit Sharing

'Hertz had built up the Chicago llow Cab Co. from nothing on a fit sharing basis," Cokell said. "He d us he didn't want to be associated h an organization in which the rank l file had no opportunity to share its profits. He took Ralph Kohn l myself to see the assistant treas- r of General Motors, who described t company's profit sharing plan to We discussed it for several weeks er that."

Rogers sought to show that Kohn, mer Paramount treasurer, knew re about the company's $12,000,000 dit transaction of 1932 than he had nitted in testimony at an earlier aring. Kohn explained his lack of ormation on details of the transac- n by declaring at the time that he l not been concerned with its mech- cs, but merely had participated in few preliminary conferences which up to the credit arrangement. Yes- day, Rogers queried Cokell on the mber of such conferences Kohn had rticipated in.

'Three or four," was Cokell's reply.

Reads from Cokell Diary

Rogers then read seven entries from day-by-day diary kept by Cokell h of which named Kohn as a con- ee at a discussion on the credit nsaction.

Cokell's diary piqued the interest of feree Davis, who inquired concern- g its origin and how closely the en- es approximated actual happenings. 'It's a personal diary that I've kept r some time," Cokell explained. "I ed to make entries in it every night."

Cokell testified that Hertz believed e Paramount real estate department be "weakly manned" and consulted th Charles F. Noyes, realty expert, an "experienced man to handle it."

Samuel Zirn, attorney for another oup of bondholders, endeavored un- ccessfully to draw an admission om Cokell that Erpi's creditor claim ainst the company had been raised om approximately $1,000,000 at the ne of the receivership to $1,900,000 the time of the bankruptcy.

Give "Moulin" Party

Players traveling with the "Moulin ouge" caravan and a number of well own figures in film and theatrical rcles were guests last night at a pper-dance given by United Artists the Terrace Room of the Hotel ew Yorker.

Educ'l Expected to Keep Present List

(Continued from page 1)

tives, headed by John D. Clark, sales manager.

This season, Hammons' company is releasing 52 two-reelers and 66 one-reelers. The two-reel series are eight in toto, while the one-reelers break down into seven groups.

Zirn Prepares to Go Into Highest Court

(Continued from page 1)

ruptcy to the U. S. Supreme Court for review. Zirn was admitted to the District of Columbia bar preparatory to inaugurating his actions.

One seeks the review of a denial of his action for the removal of the Paramount trustees in bankruptcy by the U. S. Circuit Court of Appeals here last month. The other is on Zirn's unsuccessful attempts to have Paramount adjudicated an involuntary bankrupt at the time Paramount consented to a friendly equity receivership. He will seek a writ of certiorari within the next 10 days, Zirn said, seeking the high court's consent to review the cases.

Walter Trumbull to Do MPPDA Publicity

(Continued from page 1)

secretaries, has been engaged by the Hays organization to handle national publicity. He succeeds no one, the post apparently being a new one.

Trumbull is an old newspaper man and lists in his experience an association with the former *New York World* where he was a syndicate writer.

Evangelist Loses Suit

HOLLYWOOD, Feb. 6.—Judge Yankwich today handed down a judgment of $5,900 against Aimee Semple McPherson in the suit brought by the estate of the late J. Roy Stewart charging failure to proceed with a film called "Clay in Potter's Field," in which she had agreed to play.

Cold Detains Hays

HOLLYWOOD, Feb. 6.—Suffering from a cold, Will Hays has been forced to postpone his return east. He is at the Queen of Angels Hospital for observation. His condition is not critical. He will not attempt to start east before the week-end.

Jolson Headlines Cheese

Al Jolson headlined the Cheese Club guest list yesterday which included Jack Pearl, Rudy Vallee, John McGovern, Joseph Israels, Ferde Grofe, Louis Adamic, Julius Tannen and Paul Moss.

Col. Boys' Novel Set

Lou Goldberg and Ed Olmstead, both of Columbia, have finished "The Unsinkable Mrs. Jay," based on the life of J. J. Brown. The 90,000-word novel has been accepted by Macauley's.

Ostrer in Hollywood

HOLLYWOOD, Feb. 6.—Isidore Ostrer of Ostrer Bros., controlling factor in Gaumont British, is here from London.

Court Orders 306 Men Back to Jobs

(Continued from page 1)

temporary injunction against the I.T.O.A. when the exhibitor unit began discharging the union's operators, claiming it a violation of the N.R.A. blanket agreement. The I.T.O.A. appealed for a re-argument of the case, which was denied yesterday.

The 55 men will be returned to their jobs as soon as the judge signs the order handed down yesterday.

Quebec Houses Want Child Ban Changed

MONTREAL, Feb. 6.—Independent exhibitors of Quebec have asked Premier L. A. Taschereau for a modification of the law which now bars children under 16 years of age from theatres. They want this cut to 14 years, with children above 14 admitted when accompanied by parents.

They are also asking for a special censorship for children's programs to be given on a designated day each week.

At present no child under 16 in Quebec province is able to see a film except in school halls, which, they claim, are a greater panic and fire risk than inspected theatres. The law is the outcome of the Laurier Palace fire in which 79 children lost their lives.

To Offer Plans to Aid Camera Union

HOLLYWOOD, Feb. 6.—Cameramen's union, at a meeting last night, heard that plans for rehabilitation of the organization would be submitted soon. Continuation of the union was favored. At the same time the A. S. C. announced a plan for rotating work through the cooperation of the major studios. Under the scheme all but contract people will be cleared through the offices of the organization.

The financial report of the union revealed assets of $101,000, with approximately $33,000 out on loans to members. Ed Estabrook, business manager, reported 400 members were in good standing.

Actors to Pick Agents

HOLLYWOOD, Feb. 6.—With Division Administrator Sol A. Rosenblatt's approval, the Actors' Guild is calling a general meeting for Feb. 18 to nominate candidates for the agents' code committee and the producer-actor five-five committees. A committee has been elected to pass upon eligibility for voting at the meeting. It comprises Lucille Gleason, Boris Karloff, Bradley Page, Minna Gombell, Jean Hersholt and Edwin Maxwell.

Laemmle to Celebrate

HOLLYWOOD, Feb. 6.—Carl Laemmle celebrates the 27th anniversary of his entrance into the film field today. "Hiawatha," a one-reeler, filmed in Minneapolis, launched the producing organization now known as Universal Pictures.

Production and distribution heads of Universal in Europe, South America and the United States will join Laemmle in celebrating the event in New York.

Insiders' Outlook

(Continued from page 2)

out charge; all the public has to do is to ask. The idea is not new. Before NBC moved over to its new hatrack at Rockefeller Center, weekly broadcasts of Cantor on the Chase and Sanborn Hour were held each Sunday night from the roof of the New Amsterdam. . . It's taking a long, long time for the code to get going, isn't it? . . .

▼

Institutional theatre advertising, winter model, 1934: The Lee Ochs circuit program for its Midtown and Yorktown telling patrons those houses are so attractive and comfortable they allow "you to relax to the extent that you almost sleep." Didn't know that was happening in the sound era, common as it was when loud speakers didn't blare at you. . . Another case of release titles that seem to go better when fixed up: "Fashion Follies of 1934," first sent forth by the Warners without the "Follies." . .

▼

Catchlines subbing for feature titles out front of the Cohan, Gaiety, Globe and other Broadway twin bill, any-run houses are responsible for squawks from patrons who first pay and later discover the pictures are old. It doesn't help the neighboring houses who conduct their fronts legitimately. What about it? There's this much about it. The product still belongs to the distributor. . . Sirovich is doing his damndest to get that Congressional probe going. . .

▼

Eddie Cantor's blood pressure got a bit out of hand when he issued the statement to the dailies he would resign his post on Code Authority if any changes were made in provision governing chorines and their light fantastic. The dope is he didn't really mean it—that is, the resignation threat. . . Does Fox Movietonews really want a newsreel theatre of its own again on Broadway? . . . The pants (trousers) gag in "Palooka" is pretty rough, particularly Schnozzle's blackout line. . .

▼

Reports all over Times Square about the Publix situation in Detroit and all of them insist John Balaban will get those houses after all. . . Al Jolson, talking before the Cheese Club yesterday, said the Walter Winchell incident, a Hollywood hot one in its day not so long back, represented the chivalry of the South—the southern part of Russia. Julius Tannen, also among those present, remarked there were so many actors on deck the club monicker ought to be changed to the Ham and Cheese Club. For that one, you can blame him. . .

KANN

"All of Me," Show, Loop's Top, $42,000

CHICAGO, Feb. 6.—A cold snap that sent the thermometer to zero Sunday afternoon and kept it below zero until Tuesday noon was responsible for serious inroads at Loop box-offices. In the face of the weather handicap business rallied toward the end of the week.

B. & K.'s Chicago came through with $42,000, a pronounced increase over the preceding week despite the weather. "All of Me" was on the screen and "The Student Prince" on the stage.

The take at the RKO Palace of $22,000, with "Advice to the Lovelorn" on the screen and "Artists and Models" on the stage further indicates the favorable trend, in view of the weather.

Total first run business was $126,000. Average is $137,000.

Estimated takings:

Week Ending Jan. 30:

"DINNER AT EIGHT" (M-G-M)
ORIENTAL—(3,940), 30c-40c-60c, 3rd week, 9 days. **Gross:** $15,000. (Average, $23,000)

"GALLANT LADY" (U. A.)
UNITED ARTISTS—(1,700), 30c-40c-60c, 2nd week, 7 days. **Gross:** $11,000. (Average, $17,000)

Week Ending Feb. 1:

"ALL OF ME" (Para.)
CHICAGO—(4,000), 35c-50c-68c, 7 days. Schubert's "The Student Prince" on stage. **Gross:** $42,000. (Average, $34,600)

"ADVICE TO THE LOVELORN" (U. A.)
PALACE—(2,509), 35c-50c-75c, 7 days. Artists and Models revue on stage. **Gross:** $22,000. (Average, $22,000)

Week Ending Feb. 2:

"MISS FANE'S BABY IS STOLEN" (Para.)
McVICKERS—(2,284), 30c-40c-60c, 7 days. **Gross:** $10,000. (Average, $13,000)

"GOING HOLLYWOOD" (M-G-M) (Second Loop Week)
ROOSEVELT—(1,591), 25c-35c-50c, 7 days. **Gross:** $9,000. (Average, $11,000)

Week Ending Feb. 3:

"LOVE HONOR AND OH BABY" (Univ.)
STATE-LAKE—(2,776), 20c-25c-35c, 7 days. WLS Merry Go Round on stage. **Gross:** $17,000. (Average, $17,000)

Providence Gives "Eskimo" $12,000

PROVIDENCE, Feb. 6.—In a week of dull business "Eskimo" and a stage show headed by the Radio Rogues reached an average $12,000 at Loew's State.

Total first run grosses were $39,100. Average is $40,600.

Estimated takings for the week ending Feb. 1:

"EIGHT GIRLS IN A BOAT" (Para.)
"WOMAN'S MAN" (Chesterfield)
PARAMOUNT—(2,300), 15c-40c, 7 days. **Gross:** $6,500. (Average, $6,500.)

"CROSS COUNTRY CRUISE" (Univ.)
"MASSACRE" (Warners)
MAJESTIC—(2,400), 15c-40c, 7 days. **Gross:** $6,000. (Average, $7,000.)

"ESKIMO" (M-G-M)
LOEW'S STATE—(3,800), 15c-40c, 7 days. Stage: Radio Rogues. **Gross:** $12,000. (Average, $12,000.)

"ORIENT EXPRESS" (Fox)
FAYS—(1,600), 15c-40c, 7 days. Stage: Country Club Scandals. **Gross:** $7,000. (Average, $7,000.)

"HIPS HIPS HOORAY" (Radio)
"SHADOWS OF SING SING" (Col.)
RKO ALBEE—(2,300), 15c-40c, 7 days. **Gross:** $6,500. (Average, $7,000.)

"LITTLE WOMEN" (Radio)
"BEFORE MIDNIGHT" (Col.)
RKO VICTORY—(1,600), 10c-25c, 4 days. **Gross:** $1,100. (Average, $1,100.)

"Carolina" Is Philadelphia Hit, $28,000

PHILADELPHIA, Feb. 6.—"Carolina" led the first runs this week with a good $28,000 and was held for a second week.

Making its first run bow at the Boyd, "Dinner at Eight" seems sure for a $13,000 week. A good second week for "Gallant Lady," over-average business for "Counsellor-at-Law" and nice return trade for "Dancing Lady" kept the business well in the black.

Total first run business was $103,100. Average is $84,200.

Estimated takings for the week ending Feb. 1:

"GALLANT LADY" (U.A.)
ALDINE—(1,300), 40c-55c-65c, 6 days, 2nd week. **Gross:** $8,000. (Average, $7,000.)

"DANCING LADY" (M-G-M)
(2nd Run)
ARCADIA—(600), 25c-40c-50c, 8 days. **Gross:** $3,600. (Average, 6 days, $2,400.)

"DINNER AT EIGHT" (M-G-M)
(2nd Run)
BOYD—(2,400), 40c-55c-65c, 6 days. **Gross:** $13,000. (Average, $12,000.)

"GOING HOLLYWOOD" (M-G-M)
EARLE—(2,000), 40c-55c-65c, 6 days. Stage: Fifi D'Orsay, Charles Ahern's "Millionaires," Paddi Pryce, Cooper and Pickert, Hill and Hoffman. **Gross:** $18,000. (Average, $12,000.)

"CAROLINA" (Fox)
FOX—(3,000), 30c-40c-65c, 6 days. Stage: "Goin' South" prologue. **Gross:** $28,000. (Average, $16,000.)

"BEDSIDE" (F.N.)
KARLTON—(1,000), 30c-40c-50c, 6 days. **Gross:** $3,500. (Average, $3,500.)

"I AM SUZANNE" (Fox) (2nd run)
KEITH'S—(2,000), 25c-35c-40c, 6 days. Stage show. **Gross:** $7,500. (Average, $7,000.)

"FASHIONS OF 1934" (Warners)
STANLEY—(3,700), 40c-55c-65c, 8 days. **Gross:** $14,000. (Average, for 6 days, $12,000.)

"COUNSELLOR-AT-LAW" (Univ.)
STANTON—(1,700), 30c-40c-55c, 6 days. **Gross:** $8,000. (Average, $7,000.)

"Invisible Man" at $3,800 in Portland

PORTLAND, Feb. 6.—Last week was slightly better than average, with "Invisible Man" at the Music Box registering $3,800, or but $800 over average.

Reopening of the Pantages, with a combination screen and vaudeville bill had a take of $2,500, or but $500 over average.

A double bill, "From Headquarters" and "Goodbye Love," at the Oriental went $1,000 over house average to $3,000.

First run total was $25,300. Average is $23,000.

Estimated takings for the week ending Feb. 3:

"CONVENTION CITY" (F. N.)
"MASSACRE" (F. N.)
(Re-titled "Big Round Up")
BROADWAY—(1,912), 25c-35c-40c, 7 days. **Gross:** $6,000. (Average, $6,000)

"INVISIBLE MAN" (Univ.)
HAMRICK'S MUSIC BOX—(2,000), 25c-35c-40c, 7 days. **Gross:** $3,800. (Average, $3,000)

"FROM HEADQUARTERS" (Warners)
"GOODBYE LOVE" (Radio)
HAMRICK'S ORIENTAL—(2,040), 25c-35c, 7 days. **Gross:** $3,000. (Average, $2,000)

"MASTER OF MEN" (Col.)
PANTAGES—(1,700), 25c-35c, Vaudeville, 7 days. **Gross:** $2,500. (Average, $2,000.)

"I AM SUZANNE" (Fox)
"HELL AND HIGH WATER" (Para.)
PARAMOUNT—(3,008), 25c-35c-40c, 7 days. **Gross:** $5,000. (verage, $5,000)

"MOULIN ROUGE" (U. A.)
UNITED ARTISTS—(945), 25c-35c-40c, 7 days. **Gross:** $5,000. (Average, $5,000)

Using Psychology

Hollywood, Feb. 6.—Tay Garnett put the reverse English in advertising for talent for "Honor Bright," which he will direct for Paramount. Instead of advertising for pretty little girls around the age of eight, he requested the ugly type, emphasizing that good lookers would not even be considered.

"Candlelight" At $3,000 in Minneapolis

MINNEAPOLIS, Feb. 6.—Grosses were spotty here and in St. Paul last week, with "By Candlelight" making the best comparative showing here and "Emperor Jones" taking top percentage honors in St. Paul.

"By Candlelight" was $1,000 over normal at $3,000 in the Minneapolis World and "Emperor Jones" was the same amount up with a gross of $2,500 at the 300-seat St. Paul World.

"Eskimo" was a disappointment on both sides of the river, falling $500 under average at the Minnesota here and in the St. Paul Paramount.

Minneapolis' five houses, usually getting $22,100, made around $23,000, while St. Paul's five totaled $17,700 where they usually get $16,000.

Estimated takings:

Minneapolis

Week Ending Jan. 31:

"ADVICE TO THE LOVELORN" (U. A.)
LYRIC—(1,238), 20c-25c, 7 days. **Gross:** $1,500. (Average, $1,500)

"ESKIMO" (M-G-M)
MINNESOTA—(4,000), 25c-40c, 7 days. **Gross:** $7,000. (Average, $7,500)

Week Ending Feb. 1:

"CONVENTION CITY" (F. N.)
RKO ORPHEUM—(2,900), 20c-40c, 7 days. **Gross:** $5,500. (Average, $5,500)

"THE HOUSE ON 56TH STREET" (Warners)
STATE—(2,300), 25c-40c, 7 days. **Gross:** $6,000. (Average, $5,500)

"BY CANDLELIGHT" (Univ.)
WORLD—(400), 25c-75c, 7 days. **Gross:** $3,000. (Average, $2,000)

St. Paul

Week Ending Feb. 1:

"ESKIMO" (M-G-M)
PARAMOUNT—(2,300), 25c-40c, 7 days. **Gross:** $5,000. (Average, $5,500)

"FUGITIVE LOVERS" (M-G-M)
RIVIERA—(1,200), 25c-40c, 7 days. **Gross:** $3,500. (Average, $3,500)

"HIPS, HIPS HOORAY" (Radio)
RKO ORPHEUM—(2,500), 20c-40c, 7 days. **Gross:** $5,000. (Average, $4,000)

"MISS FANE'S BABY IS STOLEN" (Para.)
TOWER—(1,000), 15c-25c, 3 days. **Gross:** $900. (Average, $800)

"SMOKY" (Fox)
TOWER—(1,000), 15c-25c, 4 days. **Gross:** $800. (Average, $700)

'EMPEROR JONES" (U. A.)
WORLD—(300), 25c-75c, 7 days. **Gross:** $2,500. (Average, $1,500)

Fox Plant to Have New Storage Vault

HOLLYWOOD, Feb. 6.—Work is to be started soon on a nine-room film vault with storage space for 11,000,000 feet of film at the Fox studio.

This is part of the recent expansion program which has included two sound stages, a mill, and a building for a re-recording channel and a projection room.

"Lovers" and Musical Pull In Pittsburgh

PITTSBURGH, Feb. 6.—The colde snap of the winter last week, sendi temperatures down to several degre below zero, hit theatres hard. Wi a number of big attractions in tow the week-end start was the bigge here in some time, but the arrival a blizzard over Monday and Tuesd held everything at a standstill.

The Penn, returning to stage sho after an absence of two years, had t condensed version of Earl Carroll "Vanities" and "Fugitive Lovers easily leading the town at $27,000. T Stanley, with "Four Frightened Pe ple," skidded to rock bottom at $5,70 the worst here in some time.

Of the straight pictures, "I Am S zanne" alone managed to withsta the frigid blast, gathering $6,700 seven days. While the Pitt was o too, with its combination unit and pi ture policy, it still managed to sho a profit at $6,500 with "Jimmy a Sally" and "Sweet and Lowdown."

Total grosses in six first run hous were $50,900. Average is $48,500.

Estimated takings for the week en ing Feb. 3:

"CROSS COUNTRY CRUISE" (Univ
DAVIS—(1,700), 25c-35c, 6 days. Gro $1,700. (Average, $2,500)

"I AM SUZANNE" (Fox)
FULTON—(1,750), 15c-40c, 7 days. Gro $6,700. (Average, for six days, $4,000)

"FUGITIVE LOVERS" (M-G-M)
PENN—(3,300), 25c-75c, 6 days. Sta Earl Carroll's "Vanities" with Ray Bolg Collette Sisters, Jean Travels, Samu Brothers and Jack Squires. **Gross:** $27,0 (Average, $21,000.)

"JIMMY AND SALLY" Fox)
PITT—(1,600), 15c-40c, 6 days. Sta "Sweet and Lowdown" with Arthur a Morton Havel. **Gross:** $6,500. (Avera $6,000.)

"FOUR FRIGHTENED PEOPLE" (Par
STANLEY—(3,600), 25c-50c , 6 da **Gross:** $5,700. (Average, $9,000.)

"LET'S FALL IN LOVE" (Col.)
WARNER—(2,000), 25c-50c, 6 days. Gro $3,300. (Average, $5,000.)

"Lovelorn," Show $12,200, Buffal

BUFFALO, Feb. 6.—Four days severe snowstorms and below ze weather pulled all grosses dow Nothing could keep 'em away from t Hippodrome, though, where Rosa and her fan dance plus "Advice to t Lovelorn," brought in $12,200, $2,200 above par.

Total take was $48,100. Normal $47,500.

Estimated takings for the week en ing Feb. 2:

"FLYING DOWN TO RIO" (Radio)
BUFFALO—(3,500), 30c-55c, 7 da Stage: Milton Berle, George Prenti Evelyn Dall, Five Maxellos, Barba Blane. **Gross:** $15,800. (Average, $15,00

"AS HUSBANDS GO" (Fox)
"EMPEROR JONES" (U. A.)
CENTURY—(3,000), 25c, 7 days. Ad attraction: Ross-Petrolle fight fil **Gross:** $5,700. (Average, $6,000.)

"ESKIMO" (M-G-M)
GREAT LAKES—(3,000), 25c-40c, days. **Gross:** $7,500. (Average, $10,000.

"ADVICE TO THE LOVELORN" (U.
HIPPODROME—(2,100), 25c-40c, 7 da Stage: "Midway Nights," with Rosa Dennis White, Prosper & Maret, John Poat, Bonita Frede, Jean & Joan, Andr Bros., Dave Lee, Lyda Sue, Pearl M Knight. **Gross:** $12,200. (Average, $10,0

"CROSS COUNTRY CRUISE" (Univ
"EAST OF FIFTH AVENUE" (Col
LAFAYETTE—(3,300), 25c, 7 da **Gross:** $6,900. (Average, $6,500.)

Invisible Man,' Show Garner $15,000, K.C.

KANSAS CITY, Feb. 6.—"Invisible an," plus "Fifty Million French-en" as the stage attraction, pulled 5,000 at the RKO Mainstreet for the eek's best business.

Among straight film runs, "Eski-" led the field with a strong $10,-0 at the Midland. The Newman ned in a fair $6,000 with "Miss ane's Baby Is Stolen," while the reign-made "I Was a Spy" slumped $1,900.

Total for the week was $33,500. verage is $32,500.

Estimated takings:

Week Ending Jan. 31:
"I WAS A SPY" (Fox)

UPTOWN—(2,000), 25c-40c, 7 days. **Gross:** 900. (Average, $3,000)

Week Ending Feb. 1:
"MISS FANE'S BABY IS STOLEN" (Para.)

NEWMAN—(1,800), 25c-40c, 8 days, plus turday midnight show. **Gross:** $6,000. verage for 8 days, $6,500.)

"THE INVISIBLE MAN" (Univ.)

MAINSTREET—(3,049), 25c-40c-60c, 7 ys, plus Saturday late show. Stage: An-le Friedland's "Fifty Million French-en" revue, featuring Venita Gould, Rich-d Lane, Al Norman, Susan Jayne, Ester oyd. **Gross:** $15,000. (Average for com-nation shows, $13,000.)

Week Ending Feb. 2:
"ESKIMO" (M-G-M)

MIDLAND—(4,000), 25c, 7 days, plus Sat-day midnight show. **Gross:** $10,700 (Av-age, $10,000).

Scandals" Opens To $6,000, Omaha

OMAHA, Feb. 6.—Booked for two eeks at the World, "Roman Scan-ls" opened big to give the house the st break it has had in months. The ke was around $6,000.

The Morton Downey stage unit at e Brandeis, along with "The Mean-t Gal in Town" on the screen. hooped the gross to $8,500 in face of e Cantor competition.

A dual bill at the Orpheum of "Fu-tive Lovers' and "Girl Without a oom" was good for average money. he dud of the week was "All of Me" the Paramount.

Total first run business was $28,-00. Average is $26,250.

Estimated takings:

Week Ending Jan. 31:
"ALL OF ME" (Para.)

PARAMOUNT —(2,900), 25c-35c-40c, 7 ays. **Gross:** $6,250. (Average, $7,500)

Week Ending Feb. 1:
"ROMAN SCANDALS" (U. A.)

WORLD—(2,200), 25c-35c-40c, 7 days. ross: $6,000. (Average, $5,500.)

"THE MEANEST GAL IN TOWN" (Radio)

BRANDEIS—(1,200), 25c-35c-45c-60c, 7 ays. Stage: Morton Downey unit. **Gross:** 3,500. (Average, $6,000)

Week Ending Feb. 2:
"FUGITIVE LOVERS" (M-G-M)
"GIRL WITHOUT A ROOM" (Para.)

ORPHEUM—(3,000), 25c-35c, 7 days. ross: $7,250. (Average, $7,250)

Lynch Improving

S. A. Lynch, head of the theatre reorganization committee at Paramount, s improving and is getting along "as ell as might be expected," his office eported yesterday. Lynch is in Flor-da battling a serious illness which ade necessary removal of his teeth.

Variety Club Chatter

Cincinnati

CINCINNATI, Feb. 6.—ALLEN MORITZ, chairman of the house committee, says club rooms should be provided with an upper deck, especially on Sunday nights when the ladies attend. These weekly affairs are growing in popularity and crowding the quarters to capacity, even with the adjoining room, recently annexed.

ARTHUR (RKO) FRUDENFELD is dividing his time between home and office while battling with a severe cold, which has seriously handicapped his vocal mechanism.

P. J. ("Pete") WOOD, of the Columbus chapter, dropped in for a social hour while in town.

OLSEN and JOHNSON, recently elected to associate membership, spent most of their spare time at the local headquarters while playing the Palace.

Weekly luncheons now are being held in the club rooms instead of the Netherland Plaza Frontier Room as heretofore. The boys like it better.

JACK WIENER announces he is open for all invitations while Friend Wife is in Toledo visiting mother.

President BILL GEHRING issued official summons to all members to attend this week's luncheon when Sheriff ASA BUTTERFIELD was the guest of honor, as was also REV. CLETUS MILLER.

WILLARD GERVES, male heir of BILL GERVES, was elected to membership at the current business session. This is the first case of father and son being barkers in the local club.

WILLIS VANCE and ELMER SHARD were among the committeemen present at the exhibitors' meeting in Columbus when admission tax and other headaches were discussed.

ABE LIPP, guardian of the exchequer, appeared before the judge in Columbus a few days ago. But it's not as bad as it sounds. He was trying a case.

Columbus

COLUMBUS, Feb. 6. — GEORGE ("Red") TRAUTMAN, president of the Columbus Red Birds, winners of the American Association and Little World Series pennants in 1933, is planning on a Variety Club section on the special train which leaves about March 10 for Avon Park, Fla., for spring training. JIMMY PEPPE of Valley Dale is in charge of arrangements.

The Club will hold a special Valentine party for the ladies Feb. 14. LEO HAENLEIN of Olentangy Park, BERNIE GARDNER of Paramount and MAX STEARN of the Southern Theatre are in charge of the program. They promise plenty of heart throbs with no two-for-one admissions or giveaways.

The widow of GEORGE CHENNELL, grand old man of show business and head of the Columbus Bill Posting Co. who died recently, has presented to the club a wonderful collection of oldtime photos and programs. Old pictures covering European trips of Barnum & Bailey and the 101 Ranch are included. BILL ORTMAN is arranging an exhibit in clubrooms in memory of his many years' association with CHENNELL.

CLYDE BEATTY, animal trainer and associate member of the club, expected soon for annual winter visit.

DUKE CLARK, MAX STEARN, T. L. IRWIN and J. B. GARDNER were delegates to national convention in Pittsburgh. They report wonderful hospitality and an enthusiastic meeting.

HARRY SCHREIBER, manager of the RKO-Palace and a former member of the Cincinnati club, and CLINTON WANDER, assistant manager of Loew's Ohio and a former member of the St. Louis Club, were inducted into membership in the Columbus club the other day.

St. Louis

ST. LOUIS, Feb. 6.—OLE OLSEN was guest of honor at the first of the "Fish Fries." OLE gave his visible approbation to the club's cuisine by consuming twice as much fish as any other three guests. OLSEN and CHIC JOHNSON were formally honored at a stag party Monday evening.

LETO HILL of St. Louis Amusement claims the "Hearts" championship.

CULLEN ESPY was the first "King For A Night." This innovation provides for a different member to take charge of the club party each Saturday night and provide the entertainment. CULLEN presented JACK HALEY as his headline attraction for the evening, supplemented by DOROTHY BUSHEY and an orchestra.

President "CHICK" EVENS had his first workout in the gymnasium last week. "CHICK" is still walking as though he had lived on the back of a horse for a week.

ALVIN WOLFF is still in New York.

JIMMY TAPPELLA has been missing from clubrooms lately. JIMMY is furnishing a newly built home for his mother and dad and all members are invited to the housewarming in the near future.

Barkers at the LONDOS-SONNENBERG championship wrestling match: MATT SCHULTER, PETE PLESSNER, BEN CAMMACK, CULLEN ESPY, AL ROTH, CLARENCE TURLEY.

CLARENCE TURLEY was in Indianapolis, Friday, returned Saturday, left that night for Chicago, and arrived back in St. Louis this morning.

Remodel Cleveland House

CLEVELAND, Feb. 6.—The Temple, closed for several years, is being remodelled in anticipation of reopening shortly by George Israel. It is a colored house.

Ethel Bergman Resigns

CLEVELAND, Feb. 6.—Ethel Epstein Bergman, for 17 years connected with local Fox exchange, most of that as office manager, has resigned.

Trade Show Tickets Scatter in Chicago

CHICAGO, Feb. 6.—Reason for the unprecedented popularity of recent midnight trade previews has just come to light. Invitations generously broadcast to exhibitors and others in the trade have found their way into the hands of the butcher, baker and the apartment building janitor. With packed houses, legitimate trade representation has been in the minority.

So now one company—United Artists—is putting individual names on its invitations and reserving the right to refuse admission if presented by any one except the person for whom it is designated.

Benj. Warner Better; Charnases Delay Trip

Condition of Benjamin Warner, father of Harry, Albert and Jack, has so improved the Harry Charnases, who were slated to leave for Hollywood late last week have delayed their trip until Feb. 16. Charnas operates the Broadway theatres for Warners. His wife is a sister of the Warner brothers.

The elder Warner is about 75 and is suffering from a heart attack.

Defends Talent Imports

HOLLYWOOD, Feb. 6.—Edward H. Griffith today leapt to the defense of producers who import talent from abroad and particularly the New York stage. He is just back from the East where he hunted for players to appear in "Alien Corn," in which Radio will star Ann Harding.

He says he interviewed about 200 unknowns here and found them "obsessed with the notion that all the screen demands is either beauty or handsomeness." Therefore, he went to New York to get what he needed. He found it.

Chicago Plans Dance

CHICAGO, Feb. 6.—A "Days of '49" dance, sponsored by various branches of the local industry, will be held at the Aragon ballroom Feb. 14 for the benefit of Chicago patients at the Los Angeles free tuberculosis sanitarium. James Coston is chairman of arrangements and the affair has the support of the Chicago Exhibitors' Ass'n, Allied, Chicago Theatrical Protective Union, the operators' local and the Chicago Federation of Musicians.

Schine Gets Two More

MOUNT VERNON, O., Feb. 6.—Schine Enterprises have taken over the Vine and Memorial, both Harry Smoot houses. The Vine will be closed for two weeks for alterations. During that period the Memorial will be operated. When alterations of the Vine are completed, the Memorial will close indefinitely.

Hit Mississippi Benefits

WEST POINT, Miss., Feb. 6.—Pastors of the various denominations are opposing Sunday film benefits, at which no admission is charged, but contributions asked. The ministers explained they favor assisting the unfortunate, but object to opening of theatres on Sundays.

Bubbling over

— with the spirit of

Life, Love and Laughter!

•

Glorious Songs

—You hear them on the radio.

Gorgeous Girls

They make your screen alive!

Rippling Romance

—The kind you can't resist!

•

with

MARIAN MARSH

Shirley Grey, Onslow Stevens, Lucille Gleason, Mickey Rooney, Eddie Gribbon, Merna Kennedy. Story by Harry Sauber. Dances staged by Max Scheck. Screenplay by Chandler Sprague and Joseph Santley. Songs by Conrad, Mitchell and Gottler. Directed by Harry Lachman. Presented by Carl Laemmle. A Stanley Bergerman Production.



GLORIA STU

I LIKE IT T



T *and* ROGER PRYOR *in*

HAT WAY



OUR WATCHWOR
FOR FEBRUARY I
"MANDALA
WATCH KAY FRANCI
IN HER THIRD GREA
MONEY SHOW IN A RO
FROM WARNER BRO

With Ricardo Cortez, Warner Oland, Lyle Talbot, Ruth Donnelly. Directed by Michael Curtiz. A First National Picture.

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MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 35. NO. 37 NEW YORK, WEDNESDAY, FEBRUARY 14, 1934 TEN CENTS

ank Opposes ond Purchase y Paramount

feree Gives Approval In Tennessee Case

pposition to any Paramount Pub- bankruptcy policy of rebuilding e real estate holdings by the pur- e of claims against its bankrupt idiaries out of distribution reve- was voiced yesterday by the mmercial National Bank, a Para- nt Publix creditor, at a hearing re Referee Henry K. Davis. aramount trustees sought authori- on from the referee to acquire ls outstanding against Tennessee erprises, a bankrupt subsidiary.

(Continued on page 4)

ississippi Levies ax on Erpi Sound

ULFPORT, Miss., Feb. 13.—Back assessments totaling $165,936 on nd equipment in two Mississippi t theatres were approved by the rison County Board of Super- rs. The petition named Erpi as ers.

his company owns and controls

(Continued on page 7)

CA Is Sued Over Fessenden Patents

ILMINGTON, Feb. 13.—A patent ngement suit was filed today in S. District Court by Helen May enden of Chestnut Hill, Mass., nst RCA charging infringement of patents granted Feb. 8, 1927, to late Reginald A. Fessenden.

ne patents cover methods of wire- directive signaling and wireless smission and reception. She asks orary and permanent injunctions.

Both Barrels

Joseph Bernhard, general anager of Warner Theatres, as in a denying mood yes- erday, following return to is office after a siege of the old.

He denied Warners were fter the Mayfair in Detroit nd also reports the company as negotiating for the Roxy. "Never heard of either one f them," he concluded.

Lasky Holds Unit System Quality Hope

Can End Programmers, He Declares

HOLLYWOOD, Feb. 13.—Jesse L. Lasky regards unit production and novel story treatment as the best way of improving picture quality. His remarks are intended as a reply to Samuel Goldwyn's recent blast against mass production and dearth of story material.

Lasky says Goldwyn has brought "some truths to light" and that he agrees with him in theory in some of his objections to mass production.

"But," Lasky goes on, "as a student of film and theatre economics, I

(Continued on page 4)

Seek to Cut Down Giveaways in K. C.

KANSAS CITY, Feb. 13.—Restrictions by agreement of double billing, 10-cent nights, giveaways and premiums to one a week is to be sought by the Independent Theatre Owners of suburban exhibitors, including Fox Midwest, as a concession in the current

(Continued on page 4)

Chase-G. T. E. Case Delayed; Judge Ill

WILMINGTON, Feb. 13.—Illness of Chief Justice Daniel J. Layton today delayed indefinitely a hearing scheduled in Chancery Court for approval of an agreement between General Theatres Equipment Corp. and the Chase

(Continued on page 7)

Switches Under Way In Fox Sales Staff

A number of shifts in the Fox sales personnel are under way. Following the plan in vogue in New York where Harry H. Buxbaum is branch manager, Clyde Eckhardt becomes Chicago branch manager, the post of district

(Continued on page 7)

Recognize Ushers, Labor Board Says

Recognition of Local 118, theatre ushers, doormen and janitors union, was recommended to Paramount theatre representatives yesterday by the

(Continued on page 6)

His Own Competitor

When Clark Gable appears in person at the Capitol the week of Feb. 23, he will compete with himself on the screen at the Music Hall, which, during that week, will run Columbia's "It Happened One Day."

On the screen with Gable at the Capitol will be "Mystery of the Dead Police."

Agent-Actor Pacts May Be Held Illegal

HOLLYWOOD, Feb. 13.—Possibility of a wholesale cancellation of agent-actor contracts unless these are approved by the State Labor Commission looms as a result of a proposed fact-finding inquiry by the commission. Many agents are said to be worried.

The state labor laws require that all employe-agent contracts must be approved by the commission before becoming valid. It is reported that not more than 10 per cent of the present agent contracts have been approved.

If the commission succeeds in enforcing its rulings, it is predicted that it will lead to a general uniformity of actor-agent agreements.

May Set Back First Missouri Payments

JEFFERSON CITY, Mo., Feb. 13.—Because of delay in preparing the necessary machinery for collection of the one-half of one per cent sales tax in Missouri, it is said virtually certain the state will grant an extension for the first payments. Under the law, first payments by exhibitors and other business men are due Feb. 15 or they become delinquent. It is possible an extension will be granted to March 1.

"U" Definitely Set On 36 Next Season

Universal will make 36 features again next season, it was officially decided yesterday at a meeting of sales department and home office executives

(Continued on page 7)

Rembusch Suit Gets Start in U. S. Court

Trial of the Frank Rembusch anti-trust suit against major companies and the M.P.P.D.A. opened yesterday

(Continued on page 6)

Warner Not In Favor of Percentages

Prefers Continuance of Salaries for Talent

Harry M. Warner, president of Warner-F. N., declared in favor of continuation of the present salary system for talent as opposed to percentage or royalty plans, on his return here from the coast yesterday.

Professing to have but little knowledge of the royalty plan advocated by Adolph Zukor, Paramount head, a week ago, Warner said he believed such plans offered too many complications and tended to make it difficult to fix real responsibility for performances of pictures at the box-office.

"The present system of remuneration is all right," Warner said, "because the compensation for talent always finds its level eventually. Creative workers get whatever they are worth."

No Harm in Radio Shows, Says Bowes

Free radio audiences do not hurt theatre business, Major Edward Bowes, managing director of the Capitol, told the Cheese Club members yesterday. He says the broadcasts last only about one hour and don't make

(Continued on page 6)

B. & K. Scale Boost Sought in Chicago

CHICAGO, Feb. 13.—An effort to get B. & K. to increase admission prices in certain neighborhood theatres to which they are now routing complete Loop stage shows of the calibre of

(Continued on page 6)

Film Exploitation Vital—Aylesworth

HOLLYWOOD, Feb. 13.—Big exploitation is the answer to the question why mediocre productions develop in-

(Continued on page 7)

Resting Peacefully

House manager of a Broadway theatre was queried about the gross on the last picture and ended the conversation with a terse:

"Why talk about the dead?"

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Warners Will Trade Show Six Features

Warners will hold a national trade showing of six forthcoming releases on March 6. The company has 16 features finished.

The showings will be held in all the Warner branches in the United States and Canada.

The pictures will be: "Wonder Bar," "As the Earth Turns," "Journal of a Crime," "Harold Teen," "Jimmy, the Gent," and "Gambling Lady."

Strickling Plans Trip

HOLLYWOOD, Feb. 13. — Howard Strickling is planning to join Howard Dietz on the latter's return to the east shortly. Strickling's trip would be to pay the M-G-M home office a short visit.

Charnow Pinch Hits

Because Sidney E. Samuelson, president, was home with a cold, Julius Charnow, vice-president, acted as chairman at the meeting of Allied of New Jersey yesterday. It was a routine session.

Emanuel Returns

PHILADELPHIA, Feb. 13.—Jay Emanuel, regional trade paper publisher, and Mrs. Emanuel returned from their Hollywood visit yesterday, via the Canal and New York.

Coast Group In

Harry M. Warner, Will H. Hays, Jake Wilk and Watterson Rothacker arrived in New York from Hollywood yesterday.

Insiders' Outlook

ATTORNEY GENERAL CUMMINGS has been facing Washington criticism for his "do-nothing" attitude. From down Potomac way, therefore, come stories he is about to go investigating and may start with Fox West Coast. Through the Department of Justice, of course. . . . The big Fox house in San Francisco from which FWC originally walked may revert to the latter again. The deal's been on. . . . Inside figure on last week's gross at the Capitol places the business at $14,000 with "You Can't Buy Everything" as the picture and May Robson on the stage. It's unbelievable. . . .

▼

There are some who maintain the talk about cutting major programs for next season is mere talk. Tentative plans of important majors would indicate it was just that. Programs currently are pegged for next season where they stand now. . . . The initial excitement over "Nana" and its Chicago run is now blamed for the released story that the review of the Sten picture made the first page of the *Chicago Tribune*. It did not. It was the first page of the second news section where reviews run anyway. Bad stuff, fooling the press. Bad editors, the gullible ones, including this one. . . .

▼

Part of the deal whereby the former Moe Mark houses went into the Warner outfit, via the Stanley Company of America, provided for demolition of the Strand and replacement by a new theatre housed in a $5,000,000 office building. This was to be a fact by 1935. It would have been if the procession of the years had skipped 1929. . . . Rewriting of bond issues by the bankers is proving a good business for the bankers. They are getting their commissions for the handling exactly as if the flotations were entirely new. . . .

▼

The verbal joust between Sam Jaffe, actor, and Joe Von Sternberg, director, on the "Scarlet Empress" set is gorgeous. The other players thought so much of it they presented Jaffe with a scroll emblazoned: "The Prince of Good Fellows.". . . Will Dietrich pick up where Elizabeth Bergner left off on Catherine, the Great? . . . George Kaufman is off to the coast to confer on a new play. Hollywood has planned several parties for the co-author of "Once in a Lifetime." Who says there's no sense of humor on the Gold Coast? . . . Loads and loads of theatre deals being talked about. Many of them die when cash enters the discussions. . . .

▼

Ed Schiller is doing very well, sickroom reports have it. So much so, he's now receiving a limited number of visitors. Word from him, but not directly, is he's ready to put on the gloves to demonstrate the report about being away from active work for six months is the bunk. That's one bit of gossip we're glad to admit we were wrong on. . . . The existence of "Devil Tiger" on the Fox program is directly traceable to Sidney Kent who likes that type of picture. Therefore, be prepared for one a year like it. . . .

▼

The MPTOA move against radio broadcasters is not aimed at ether appearances of pict stars, for the exhibitor org ization realizes it can do littl nothing on that score. The c paign is aimed at stations hand out passes and thus b up audiences which ordina might be parting with quarter the box-office. . . . The explo tion director of one of the c panies does a good job for product, but a punk one for self. After three months of ing for a typewriter, he got the other day. It was a sec hand affair. . . .

▼

Have you noticed the L and Metro-Goldwyn finar dopesheets for the first qua of the new fiscal year? The ent company went to a ne $1,594,608 as compared $741,910 in the identical p last year. That's someth Naturally, Metro-Goldwyn, subsidiary company, must contributed to this, but on own score showed an amazin covery what with an increas $1,070,696 to a total ne $1,164,507, as compared wit paltry $93,911 for the same od in 1932. . . . Isn't Aylesw doing considerable denying o reports he and Radio are a to part?. . .

K

Eastman Pfd. Up 2½ on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	25	25	25	+ 3/8	200
Consolidated Film Industries	5¼	4¾	5	.....	600
Consolidated Film Industries, pfd	16⅝	16⅛	16⅜	+ 3/8	3,000
Eastman Kodak	88½	88¼	88½	— ¼	600
Eastman Kodak, pfd	128	128	128	+2½	1,000
Fox Film "A"	16¾	16	16⅜	+ 3/8	1,200
Loew's, Inc.	33	31¾	32⅝	+1¼	19,600
Loew's, Inc., pfd	86¼	86¼	86¼	+ ¼	100
M-G-M, pfd.	22⅞	22⅞	22⅞	+ ⅞	100
Paramount, cts.	4⅝	4¼	4⅜	+ 1/8	27,300
Pathe Exchange	3¼	3	3	— ⅛	4,800
Pathe Exchange "A"	18⅜	17½	17½	+ ¼	12,000
RKO	3⅛	3	3⅛	+ ⅛	1,700
Universal Pictures, pfd	28	27	27	+1	5,000
Warner Bros.	7⅜	6¾	7⅛	+ ⅛	13,800
Warner Bros., pfd	20½	20½	20½	—2	100

Technicolor Up ⅛ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	9⅛	9	9⅛	+ ⅛	400

All Bonds Show Gain

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	8⅝	8	8½	+ ½	18
General Theatre Equipment 6s '40, ctf	8¼	7¾	8¼	+ ¼	10
Keith B. F. 6s '46	60⅝	60	60⅝	+ ⅜	4
Loew's 6s '41, ww deb rights	96½	95	95¼	+ ¼	21
Paramount F. L. 6s '47	44	42¾	44	+2	5
Paramount Publix 5½s '50	44	42¼	44	+2¾	22
Warner Bros. 6s '39, wd	55¾	54	55	+1¼	28

Jolson, Gable Wil Attend ITOA Da

Talent lineups for the Indep Theatre Owners' Ass'n., ball Waldorf Astoria Feb. 21 inclu Jolson and Clark Gable and sortment of Broadway talent.

Music will be furnished by Hopkins and his Roseland or and Eli Danzig and his Ho George band. Others who have to attend for short periods the night are: N. T. G. and his dise show, Rudy Vallee and hi a bunch of vaudeville acts, the "I company with Fannie Brice, Marshall, Eugene and Willie ard and Patricia Bowman, a high spots of the New Yor Brooklyn Paramount shows.

Seidelman in Par

PARIS, Feb. 13.—Joseph H. man, foreign general sales m for Columbia, is here from E for a survey of the company' branch. From here he is expe go to Spain.

Harry Langdon Mar

HOLLYWOOD, Feb. 13. — Langdon is on a honeymoon i zona with the third Mrs. L who, until yesterday, was Sheldon.

Ostrer to Honolu

HOLLYWOOD, Feb. 13.—Isidor rer, of the Ostrer brothers, fi backers of British Gaumon sailed on a pleasure trip to Ho

Bernstein Arrive

Sidney Bernstein, well know don exhibitor, arrived in New from the other side yesterday.

IT BEATS Everything

NORTH
SOUTH
EAST
WEST

JANET GAYNOR
LIONEL BARRYMORE
in
"CAROLINA"

ROBERT YOUNG • HENRIETTA CROSMAN
RICHARD CROMWELL • MONA BARRIE
STEPIN FETCHIT

Directed by HENRY KING. From "The House of Connelly" by Paul Green

Produced by
WINFIELD SHEEHAN

Your patrons always like
FOX MOVIETONE NEWS

FOX

BOX OFFICE HYPO *at the*

SAENGER	New Orleans
ORPHEUM	Denver
BUFFALO	Buffalo
PARAMOUNT	Toledo
CAPITOL	Cincinnati
UPTOWN	Kansas City
WARNER	Youngstown
HOLLYWOOD	Fort Worth
HIPPODROME	Cleveland
CAPITOL	Richmond
NEW	Baltimore
PARAMOUNT	Omaha
FOX	Philadelphia
APOLLO	Indianapolis
POLI PALACE	New Haven
STRAND	Louisville
ECKEL	Syracuse
FOX	Detroit
CENTURY	Rochester
CAROLINA	Charlotte

As the list grows they're calling it:

The "State Fair" of 1934

Lasky Holds Unit System Quality Hope

(*Continued from page* 1)

realize that there must be some form of modified quantity production to supply some 20,000-odd theatres in America alone.

"Most of us feel that mass production is responsible for some of the poor pictures being produced. Mass production, with its handicaps of company policy, release dates, minimum budgets, set schedules of production and star assignments, gave birth to the program picture.

"Its existence can be made worthwhile and the quality average raised immeasurably through the fostering of unit or independent production. Also by placing the blame for mediocre product not upon the producing company, but upon the shoulders of those who make it. As the movement gathers momentum, and responsibilities become more clearly defined the program picture of today will vanish and in its place will come its quality offspring—a picture intelligently produced that represents full value in story, cast and production for the amount expended.

"Unlike Goldwyn, I believe there are many times 50 good story possibilities hovering around Hollywood. After all, there is nothing original in stories. All of the tremendous hits of today and the past have plots and themes centuries old. Therefore, we don't lack stories so much as we lack novelty of treatment and the moulding of those stories into new forms and patterns."

Globe Plans Twelve

HOLLYWOOD, Feb. 13.—Globe Pictures, Inc., newly formed by Larry Darmour, in association with H. C. Hopper, managing director of the Cinema Mercantile Corp., plans to produce 12 features, starting work around April 1.

The company will conduct its own exchanges, with offices opening first in New York, Boston, Philadelphia and Washington. Four more exchange cities will be selected later.

FitzPatrick on Trip

James A. FitzPatrick, shorts subject producer, is on the seas bound for North Africa and various Mediterranean ports to gather material for five "Travel Talks" he has yet to deliver to M-G-M on the current season's line-up. Seven already have been delivered. He is aboard the *Columbus* and will be gone for about two months.

King's First Is Set

HOLLYWOOD, Feb. 13.—As his first picture under his new contract with Fox, Henry King will direct "Marie Galante," from the novel by Jacques Deval. The picture will have an all-star cast yet to be selected. William K. Howard was scheduled to direct.

Columbia-Niblo Deal

HOLLYWOOD, Feb. 13.—Columbia and Fred Niblo are reported getting together on a deal for the latter to direct two pictures.

Wagner Bill Seen Touching K. C. Row

KANSAS CITY, Feb. 13.—Announcement in Washington by Senator Robert F. Wagner of New York that he has prepared a bill for Congress to make the National Labor Board a permanent government agency with unquestioned authority for the settlement of labor disputes is of particular importance to Kansas City.

Several attempts to arbitrate differences between exhibitors and union crafts have been fruitless because of the assumption that the Regional Labor Board, under jurisdiction from the National Labor Board, has no power to enforce its decisions.

That view has been persistently held by Ed Dubinsky, who is involved in disputes with the operators and stagehands in Kansas City and St. Joseph, Mo. Despite the fact he recently submitted to arbitration of the St. Joseph muddle before the Regional Labor Board at St. Louis, he still maintains that body is powerless to enforce its findings and that, as a result, arbitration or mediation will lead nowhere.

A dispatch to the *Kansas City Star* says Senator Wagner's bill apparently has administration approval, and continues:

"Under the Wagner bill the labor board would be given the power to subpoena witnesses, to hold hearings, and to act in arbitration matters. But both parties would have to agree in advance to abide by the decision. Senator Wagner believes the publication of the board's decisions would be sufficient in many cases to force compliance."

Plans Regional Codes For Local Industry

WASHINGTON, Feb. 13.—A new policy to govern the handling of local trade and service industries, contemplating the development of regional codes to supplement national agreements "in order to foster fair competition and eliminate unfair competitive practices between local trade and service enterprises," was enunciated today by Hugh S. Johnson.

The administrator explained that national codes will in general be applied to those partially local trades and industries which provide necessary outlets for productive enterprises of a national character. But that other local trade and service enterprises "will be encouraged to organize themselves for regional self-government and to adopt regional codes or agreements with the President effectuating the policy of the NRA, which, when approved by the President, will entitle those signing and complying with the agreements to the Blue Eagle."

"To avoid any possible misunderstanding," Johnson stated, "it should be emphasized that we propose by the means suggested to supplement and not to depart from the requirements of existing codes. The effect of establishing national standards in trades and industries of a partially local character has been highly beneficial to the public and private interests involved, and these gains must be preserved."

So far as the film industry is concerned, it is believed the local boards to be set up under the code will carry out the idea of Johnson's program.

Seek to Cut Down Giveaways in K. C.

(*Continued from page* 1)

movement toward stabilization of admission scales.

Only one of these practices would be allowed during seven days, and only on one day a week, according to present plans. This limitation is designed for a code of fair practice among the suburbans themselves, as well as the basis of negotiations with Loew's to raise the first run Midland's price above 25 cents.

While mediation by Joseph A. Cooper, Publix operating partner in the middle west, has been accepted by exhibitors, present indications are the matter will rest until the code boards are named. It is felt that action by the authorized bodies will carry more weight.

The limitation of "price evasions" to one a week has been okayed by Cooper as a condition of his mediation with Loew's. Cooper informed the exhibitors they would have to agree on restrictions, following which he would present the plan to E. A. Schiller, operating head of the circuit. Cooper entered the picture at the suggestion of Ed Dubinsky.

Expect to Complete Code Boards Friday

First of a series of meetings was held yesterday in an attempt to complete final recommendations for personnel of the various clearance and zoning and grievance boards. The committee consists of John D. Clark, Charles L. O'Reilly, George J. Schaefer, W. Ray Johnston, Nathan Yamins and Ed Kuykendall and will meet again today at the New York Athletic Club and sift suggestions for the boards.

If necessary, the committee will meet again tomorrow and try to finish up the boards' personnel so that a complete list can be presented to the Code Authority at its session Friday.

The only factor which may hold up official announcement of the approved boards Friday is the sanctioning of impartial members who will sit on each of the set-ups. About 200 recommendations are now being checked by Division Administrator Sol A. Rosenblatt, who must approve the selections.

Yesterday's count on unqualified assents received by the authority was 7,413.

Employers Must Post Up NRA Labor Rules

WASHINGTON, Feb. 13.—Regulations requiring employers operating under codes to post the labor provisions of their codes conspicuously in their establishments were issued today by Recovery Administrator Hugh S. Johnson. Official copies of the hour and wage provisions of the code to which he is subject will be furnished to each employer. These copies will include detailed instructions for the proper filing of complaints of violation of the labor provisions. Failure to comply with the posting requirement will be punishable by a fine of $500 or imprisonment up to six months, or both.

The regulations also provide for registration within 30 days by employers with their code authorities of the number and locations of their establishments.

Bank Opposes Bond Purchase By Paramount

(*Continued from page* 1)

with funds of Paramount Picture Distributing Corp. There is a $435,000 bond issue outstanding, and the plan for which approval was sought yesterday contemplates buying up as many of these as possible at a maximum rate of $33 for each $100 bond. Bonds in the amount of $205,900 are already available for purchasing on that basis, A. A. Laporte, of counsel for the trustees, stated.

The principal reasons given by Laporte for acquisition of the Tennessee Enterprises bonds was to further the reorganization plans for that bankrupt and to retain for Paramount the Tivoli, at Chattanooga, which Laporte described as the "biggest asset" of the bankrupt subsidiary.

The plan was approved by Referee Davis with the sanction of a majority of the creditors present. Counsel for the Commercial National Bank, however, declared that while they would approve the Tennessee Enterprise plan it would, in the future, oppose similar plans or any policy of "expending cash accumulated by the distribution department to salvage Paramount's great real estate empire."

"Such moves should be made in the course of the reorganization plan for Paramount Publix, we believe," counsel for the bank declared.

Realty Associates Case Off to Apr.

Federal Judge Robert A. Inch in Brooklyn yesterday reserved decision on the motion of George Z. Medalie for a bill of particulars in the three indictments against 12 officers, directors and agents of the New York Investors, Inc., and its affiliate, Realty Associates Securities Corp. Judge Inch gave the defendants until Feb. 26 to submit briefs and set April 4th as the date for the trial.

Yesterday was the fourth time the trial has been postponed. The 12 men were indicted on Jan. 2 on charges of using the mails to defraud, concealment of assets in a baukruptcy action and conspiracy to defraud bondholders through the solicitation of proxies in order to effect a reorganization of the Realty Associates Securities Corp.

Seeking Outsiders

HOLLYWOOD, Feb. 13.—Jesse Lasky is considering going off the Fox lot for topline names for "Springtime for Henry" which is slated to go in production on Feb. 19. Nigel Bruce already is set for a role.

Luncheons Are Resume

Get-together luncheons have been resumed by the Miniature Movie Institute and the 16mm. Board of Trade. The gatherings are held the third Thursday of each month at the Hotel Victoria.

Schenck Nears Coast

HOLLYWOOD, Feb. 13.—Nicholas M. Schenck and Mrs. Schenck are due in San Diego from New York on Friday.



With Ricardo Cortez, Warner Oland, Lyle Talbot, Ruth Donnelly. Directed by Michael Curtiz. A First National Picture.

Vitagraph, Inc., Distributors

No Harm in Radio Shows, Says Bowes

(Continued from page 1)

any difference as far as theatre attendance is concerned. Bowes, however, predicted that the policy of inviting free audiences will be short-lived inasmuch as unseen audiences are becoming annoyed at the dress shows put on for studio patronage and to which they are not a witness.

Julius Tannen also lambasted studio invitations on the ground that the shows put on there are to satisfy the advertising men and not the outside listeners. He claimed that agencies were governed by responses from studio patronage rather than the multitude of listeners, which is not the way to judge a performer.

Harry Hershfield said he recently stopped free watchers to his broadcasts because they did not distinguish between the good gags and the bad and laughed at all of them.

Henry Hull declared the spoken stage will never be superseded by any machine developed by anybody and the personal contact between the actor and audience will never make way for radio or any other device.

David Warfield spoke on the stage and Judge Samuel Levy on the children's court.

Columbia Sends Out Men for "One Night"

Lou Goldberg, exploitation head for Columbia, is sending eight exploiteers on the road to campaign on "It Happened One Night."

Les Kaufman will cover bookings on the picture in Cleveland, Dayton, Kansas City and Columbus; Harold Harris will handle dates at Washington, Cincinnati and Baltimore; Jack Thoma, St. Paul, Cedar Rapids, Sioux Falls, Minneapolis, Des Moines, Davenport and Omaha; Fred Marshall, Providence, Springfield, Hartford, Boston and Lowell, Mass.; Mike Newman, San Francisco and Seattle; Ralph Gervers, Detroit and Rochester; Ed Olmstead, Hartford, Buffalo and Springfield, Mass.; Ted Toddy, New Orleans.

FWC Ruling Today

HOLLYWOOD, Feb. 13.—Ruling in the Fox West Coast hearing held this morning on arbitration of trustees' fees has been put off until tomorrow by Referee S. W. McNabb.



Cantor Favors Cuts For Benefit Funds

Fixing a percentage of all benefit receipts that will be turned over to various actors' charities is favored by Eddie Cantor as a condition for participation by stage talent.

Cantor says all benefits should be investigated before talent agrees to take part and a representative of the Actors' Betterment Ass'n., of which he is honorary president, should have access to box-offices and books.

He also says a special board should be set up to handle the problem with representatives of the Actors' Fund, Equity, Jewish Theatrical Guild, Catholic Actors' Guild, Episcopal Actors' Guild, N. V. A. Saranac Fund and musicians', stagehands' and operators' unions.

Sound Independents Forming New Group

With the objective of uniting unlicensed, independent sound equipment manufacturers for their own protection and that of users of their products against pending and probable future litigation, a number of equipment manufacturers are organizing a Talking Picture Equipment Manufacturers' Division of the Entertainment Apparatus Mfrs. Ass'n.

Leaders in the organizing movement are H. J. Maul, Leroy Sound Equipment Corp., Rochester; E. Oliver, Oliver Mfg. Co., Cleveland; James E. Nestell, Weber Machine Co., New York, and J. A. Tanney, S. O. S. Corp., New York.

B. & K. Scale Boost Sought in Chicago

(Continued from page 1)

"The Student Prince" is docketed as one of the early complaints to be presented to the local grievance board.

Exhibitors, particularly those near the Uptown and Southtown, are finding the going too tough in the face of these elaborate stage shows at the current admission prices charged. Some are threatening to return to double features unless a more equitable admission scale is worked out.

Recognize Ushers, Labor Board Says

(Continued from page 1)

NRA Regional Labor Board here, following a hearing of the local's charges of coercion of employes of the Paramount, Stapleton, S. I., who are now on strike.

The Regional Board also recommended that the striking employes return to work. Paramount officials had both recommendations under consideration last night.

Hepburn Returns to Air

A deal is reported set whereby Katharine Hepburn will broadcast on the Hind's hour, heard over the NBC nationwide network, originating at station WEAF, for $5,000 per broadcast.

The present contract calls for only one appearance, but it is rumored that the sponsors are planning a series starring Miss Hepburn, at a reduced salary figure, however.

Flash Reviews

"Spitfire"
(Radio)

HOLLYWOOD, Feb. 13.—Way off the beaten path....The production is a triumph of Miss Hepburn's personality....

"Gambling Lady"
(Warners)

HOLLYWOOD, Feb. 13.—A swell role for Barbara Stanwyck....Satisfactory entertainment....

"Cat and the Fiddle"
(M-G-M)

Excellent entertainment....Nicely staged and acted, and the music is pleasing....

"The Big Race"
(Showmen's Pictures)

An average story of the racetrack soaked with the atmosphere of the paddocks....

"Catherine, the Great," tonight's opener at the Astor, was reviewed Feb. 1.

Radio Won't Reduce List, Says Depinet

HOLLYWOOD, Feb. 13.—Merian Cooper's resignation will not affect the number of films announced for production at Radio at the beginning of the season, it was said today by Ned Depinet, who asserted the studio will deliver 44 as planned. To date 32 have been completed or are in work. Eleven more will follow. Announcement of personnel and future production plans will be forthcoming within a day or two following conferences between Depinet and other officials of the company. Expectations are that next season will see a similar number of films produced.

Not Out of NRA

WASHINGTON, Feb. 13.—Recent announcement that William P. Farnsworth had resigned as a member of the legitimate theatre code authority has resulted in rumors he also resigned as NRA deputy administrator, leading to issuance today by the Administration of a statement that his severance from the authority was in line with the policy of relieving deputy administrators from membership in code authorities wherever possible, but that he had not resigned from the Administration.

K. C. Settlement Delayed

KANSAS CITY, Mo., Feb. 13.—Because of lack of definite agreement toward settlement of the Shanberg-Woolf Federal Court actions, the Fox Rocky Mountain and Midland Theatre reorganization plan looked for on or about Feb. 15 has been further delayed. It is now expected settlement of the litigation and the reorganization will be announced simultaneously early in March.

Switch Producers

HOLLYWOOD, Feb. 13. — Walter Wanger has been replaced as producer on M-G-M's "Operator 13" by Lucien Hubbard. The reason is said to be the dissatisfaction of Marion Davies and William Randolph Hearst over changes made in the story under Wanger's supervision.

Cullman Complains On Mayfair Tickets

Complaint that the Mayfair is distributing complimentary tickets in violation of the code has been made to Division Administrator Sol A. Rosenblatt by Howard S. Cullman, receiver for the Roxy.

The letter sent to the division administrator follows:

"May I bring to your attention one of the courtesy tickets which are being widely circulated by the Mayfair theatre?

"This is apparently a clear violation of the motion picture code relating to unfair practices involving exhibitors, as stated specifically in Article V, E, Part 3, Section 1, and it further seems to me that to print the NRA insignia on such a flagrant violation of the President's code is a piece of inexcusable effrontery."

When questioned about the complaint, Walter Reade, operator of the Mayfair, replied in his usual polite fashion which, after considerable editing, ran something like this:

"I don't know you and I don't know Mr. Cullman. As far as Cullman is concerned, he can go fly a kite. I'll run my business the way I want to and that's that."

Rembusch Suit Gets Start in U. S. Court

(Continued from page 1)

before U. S. District Court Judge Alfred M. Coxe with the introduction of documentary evidence and brief testimony. The trial will resume today and is expected to continue for at least one month.

Evidence introduced yesterday was historical in nature, covering costs of distribution, maintenance and functions of Film Boards of Trade and the M.P.P.D.A., film contracts, rules of arbitration and of credit committees prior to their being outlawed, and definition of industry terms.

Rembusch, a former Indianapolis exhibitor, charges the defendants with conspiracy and seeks damages aggregating in excess of $2,000,000. He is represented by the law firms of Graham & Reynolds and Weed & Candler. Max D. Steuer is attorney for the defendants.

Erskine Beginning Today at Biograph

The Biograph studio, renovated and modernized to meet the requirements of sound, starts its new career in up-to-date dress this morning when Chester Erskine begins work on "Frankie and Johnny" for All-Star Prod., Inc.

Lined up for the cast are Helen Morgan, Lilyan Tashman, Florence Reed, Chester Morris, Cora Witherspoon, Walter Kingsford, Jack Hazzard, William Harrigan, Sam Wren, Barry McCollum, Victor Young and his orchestra and the Chester Hale girls.

Erskine's picture is the first to be housed in the studio. Richard Wallace and Jess Smith are talking a new company with the same plant in view for one picture, at least.

Neilan Coming

HOLLYWOOD, Feb. 13.—Marshall Neilan is on his way east with two screen personalities to head a Broadway show which he plans to produce shortly.

Mississippi Levies Tax on Erpi Sound

(Continued from page 1)

similar equipment in 37 towns in this state, valued at $3,000,000. It leases the equipment to the theatres for a 10-year period, but pays no taxes, Mayrant Adams, deputy state tax collector, says.

The Saenger in Biloxi and the Paramount in Gulfport are the houses involved.

Attorneys for the company claim that the property had been assessed with the theatres and they say appeals will be taken to the Circuit Court.

Fox Units Enjoined By Wisconsin Court

MILWAUKEE, Feb. 13.—A permanent injunction preventing Fox Wisconsin Co. and Wisconsin Amusement Enterprises, Inc., from disposing of any assets pending disposition of the Statewide Theatres bankruptcy case has been ordered by Federal Judge F. A. Geiger.

Clarence H. Benton, trustee for Statewide, sought the injunction, which supplants a restraining order of like conditions issued several weeks ago. Conditions of the injunction are such that ordinary operating expenses of Fox Wisconsin and Wisconsin Amusement Enterprises will continue to be met.

A motion to dismiss a suit for want of jurisdiction brought by C. H. Benton, Statewide trustee, against Fox Wisconsin and Wisconsin Amusement Enterprises is scheduled to be heard Feb. 17 in District Court.

Chase-G.T.E. Case Delayed; Judge Ill

(Continued from page 1)

National Bank for settlement of conflicting claims.

The agreement provides for scaling down of a $20,000,000 claim against G. T. E. to $15,310,832 and waiving of any claims which G. T. E. may have against Chase. It is preliminary to a reorganization of G. T. E. and scaling down of its capitalization. Chase will, if the agreement is approved, give the new G. T. E. setup an option on 325,000 shares of Fox Film Class A stock at $15 per share.

Switches Under Way In Fox Sales Staff

(Continued from page 1)

manager in that area, his for many years, having been dropped.

The shift has taken Moe Levy, Chicago branch manager, to Minneapolis, where he succeeds Jack Lorentz. The latter goes to Milwaukee, until now handled by A. J. Davis, who is understood slated for a switch to another city.

CHICAGO, Feb. 13.—Moe Levy was tendered a dinner by local film men prior to his transfer to Minneapolis and carried away with him a golf outfit.

Charter Foxwis Realty

MADISON, Feb. 13.—Foxwis Realty Corp., a Delaware corporation, has filed articles in Wisconsin with an authorized capital stock of $3,000, paid in.

A Real Short

In "The Grasshopper and the Ants," a Silly Symphony in Technicolor, Walt Disney re-tells Aesop's immortal fable of the shiftless grasshopper and the industrious ants. The character of the happy-go-lucky grasshopper is summed up in the title of his theme song, "The World Owes Me a Living," which is apt to rival "Who's Afraid of the Big, Bad Wolf" in popularity.

The opening scenes are in the summertime, with the ants working hard to fill their larders with food for the winter months. But the grasshopper sings, dances and plays his fiddle all day long, with the result that when winter comes, he has no food and has to be taken in by the ants. He earns his keep by his music, but playing a different tune than the one he sang all summer.

A real short, this one.

"U" Definitely Set On 36 Next Season

(Continued from page 1)

with Carl Laemmle and Carl Laemmle, Jr. The new season production conferences are slated to continue today with a discussion of box office performances of Universal product during the current season and types of pictures to be scheduled for 1934-35.

J. R. Grainger, general sales manager, presided at the meeting. Also attending, in addition to both Laemmles, were R. H. Cochrane, P. D. Cochrane, Charles Payne, Andrew Sherrick, Ben Grimm, Paul Gulick, E. T. Gomersall, Frank McCarthy, W. M. Richardson, James Dermody, F. Wittman, Sidney Singerman, Eddie Bond, Leo Abrams and home office department heads.

Universal's plans for production in France, now up for discussion, remained undecided yesterday. Max Friedland, European manager, will remain in America in order to make a Hollywood visit with Laemmle when he returns to the coat, probably this week-end.

Important changes in production are in store for the industry, Carl Laemmle predicted last night in a radio address over an NBC hook-up, commemorating the 50th anniversary of his arrival in America.

Laemmle, declaring himself a pacifist, said that "All Quiet on the Western Front" had given him more satisfaction than any other picture he had produced because of its influence against war. He said the picture had cost $1,400,000 to produce and "The King of Jazz" had cost $1,700,000.

Meet in Des Moines

DES MOINES, Feb. 13.—Ralph Kohn, Sam Dembow and Y. Frank Freeman, Paramount theatre executives all, are due in from New York Wednesday to confer with A. H. Blank who undoubtedly will be selected as the fourth member of the company's national theatre advisory board.

Purely Personal

HARRY THOMAS, president of First Division and the Federation of the M. P. Industry, returns Saturday from Miami, and will spend the week-end away from the office.

DR. GEORGE GELLER, brother of J. LOUIS, has passed his p.g. exams at the Berne University in Switzerland and sails Feb. 21 on the *Champlain* for home.

ERNEST TRUEX, who went through all kinds of nervous comedy antics in "The Expectant Father," is now playing the same role in real life.

ROBERT GILLHAM yesterday dropped all cares as Paramount's advertising and publicity head and shook New York's cold weather for Florida.

LEW PIZOR, president of the M. P. T. O. of Eastern Pennsylvania, was in New York yesterday from Philadelphia.

RAMON NOVARRO arrived in town yesterday. He starts a week at the Capitol on Friday.

JANET BEECHER will be interviewed over Station WOR by RADIE HARRIS tonight.

Film Exploitation Vital—Aylesworth

(Continued from page 1)

to outstanding attractions at the box-office, said Merlin H. Aylesworth on arrival here for conferences at Radio. Especially vital in this respect is the extensive exploitation of personalities, he said.

A secondary factor in the success of a production is the choice of theatre, its suitability for the type of product offered, Aylesworth believes.

The RKO chief is still full of wonderment over the way London acclaimed "King Kong," released last season. The tremendous reception of that picture was a pleasant surprise to company executives, he said.

Aylesworth indicated that as a result of the success of "Little Women," a cycle of that type of picture may be expected.

Ark. ITO Won't Affiliate

LITTLE ROCK, Ark., Feb. 13.—Independent Theatre Owners of Arkansas voted against affiliation with any national organization at the closing session today of its first convention at the Marion Hotel here. Resolutions pledging support of the Code Authority and cooperation with other exhibitor organizations were adopted.

Tri-Ergon Hearing Mar. 6

Hearing on Tri-Ergon's appeal from a decision dismissing its suit against local distributors and exhibitors has been adjourned to March 6 in the Supreme Court, appellate division, first judicial department. Louis Nizer is attorney for the distributor and theatre owners.

Change Invincible Title

Invincible has picked "Twin Husbands" as the release title for "Birds of a Feather," directed by Frank Strayer and released through Chesterfield.

Spot News from Columbia



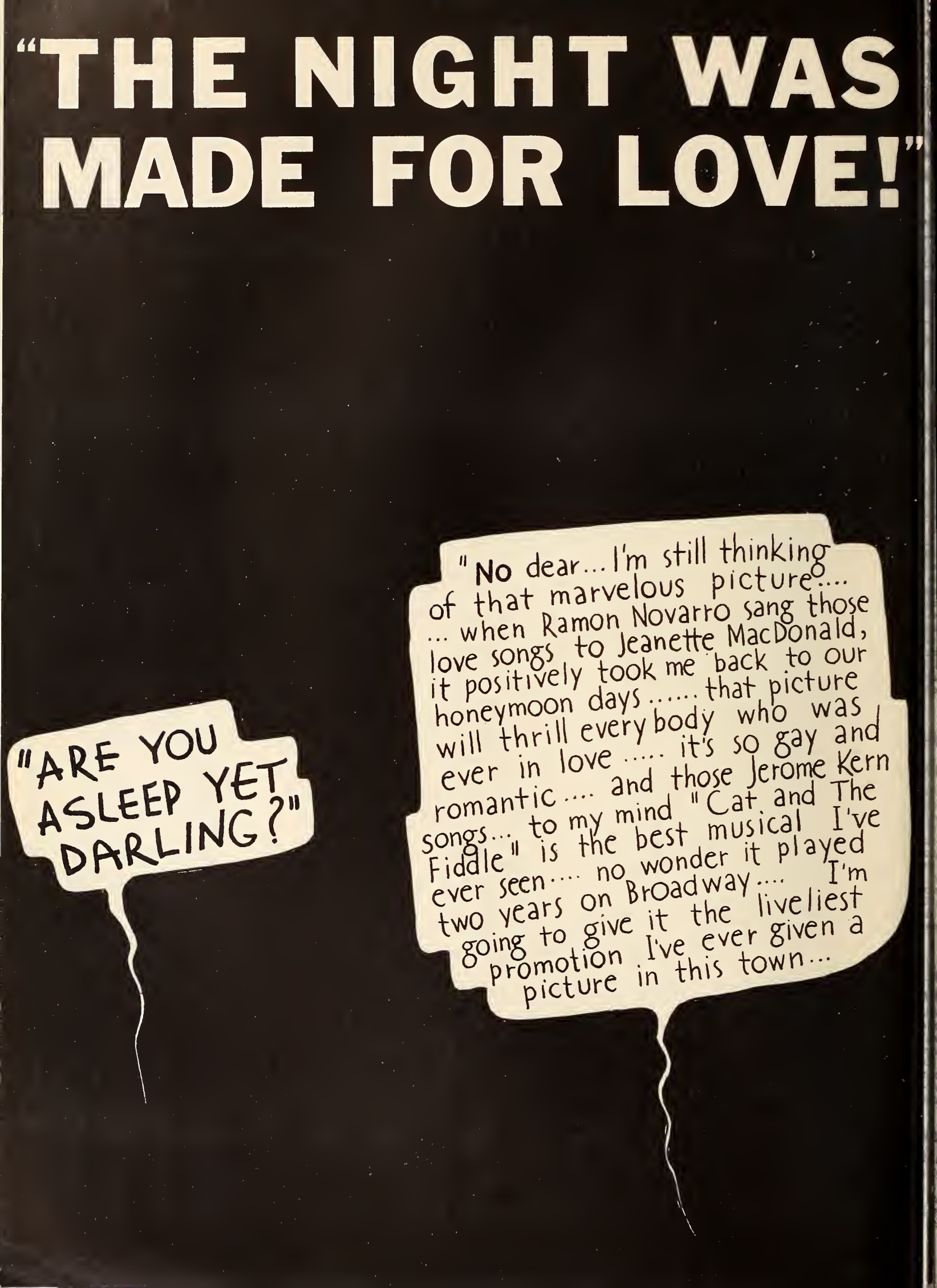
"Played by CLARK GABLE, CLAUDETTE COLBERT and directed in Frank Capra's best manner, 'It Happened One Night' is ace entertainment headed for real box office returns."
—Daily Variety





A great cast, a grand story, a swell picture! ELISSA LANDI and JOSEPH SCHILDKRAUT in "Sisters Under The Skin," with Frank Morgan. Directed by David Burton.

"THE NIGHT WAS MADE FOR LOVE!"



The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 35. NO. 38 NEW YORK, THURSDAY, FEBRUARY 15, 1934 TEN CENTS

NRA Seeking Code Change Suggestions

One of Subjects to Come Up at Capital Meet

WASHINGTON, Feb. 14.—Suggestions r possible changes in codes are be- g sought by the NRA prior to the nference of code authorities to be ld here under Administrator Hugh Johnson's direction March 5-8. Additional provisions in codes and ecific proposals for overlapping will o be discussed. Requests for sug- stions are being addressed to code thorities and to trade association le committees. Presumably this in- ides the Hays organization and Al- d in the film industry. All sug- stions must be in by Feb. 20. No actual changes in codes will be de at the conference, however, as neral Johnson made it clear several

(Continued on page 8)

6-Hour Week Fails o Excite Industry

WASHINGTON, Feb. 14.—Producers re read the code and have lost in- est in the Recovery Administra- 's plan for a general shortening of working week as a means of in- asing employment, as they already operating on a 36-hour week, be- ed to be the figure aimed at by ministrator Hugh S. Johnson, it understood here. survey of operative codes today wed that most industries are work-

(Continued on page 8)

o Action Expected On Roxy for a Week

one of the four deals for the y now before the first mortgage dholders will be accepted prior to shington's Birthday, it was offici- stated yesterday. All deals are tatus quo and it remains a toss-up o which of the four plans for re- nization will be accepted.

strian Theatres Halted by Uprising

heatre business throughout Aus- is virtually at a halt with all es closed in Vienna and other e cities throughout the country, gn representatives here were ad-

(Continued on page 9)

Inclement Weather Keeps Gross Down in Key Cities

This is the time of the year when theatres know bad weather is around. Their grosses keep reminding when memories slip.

It's nothing in national circuit operation to note a drop of hundreds of thousands a week when the thermometer dips to zero and under. That's been happening.

For the theatre week ending Feb. 2 and 3, key city grosses—135 houses reporting—bulked $1,338,371 as compared with $1,348,517 for the same number of theatres the previous week. This index is based on box-office re-

(Continued on page 8)

At It Again

The screen horizon would look bright
Producers would get sleep at night
If Webster only had been more prolific.

There's just one thing halts filmdom's strides—
The scarcity of words besides
Stupendous and colossal and terrific.

—By Jack Ellis

Korda Sees Biggest Film Year for Britain

LONDON, Feb. 14.—The prediction is made by Alexander Korda, producer for London Films, that "the year 1934 will be the most important in the history of film production in England," because the world has at last discovered that the British are capable of turning out good pictures.

Korda scoffs at the idea that the new prestige that has come to England as a producer of films is taking any glory away from Hollywood.

(Continued on page 2)

Birmingham Houses Battle a 10% Tax

BIRMINGHAM, Feb. 14.—Threats of closing of half the theatres in this city are being made by opponents of a proposed 10 per cent admission tax. One theatre has advertised that it will close as soon as the tax is enacted.

R. M. Kennedy, district manager for Valatenga Theatres, operating the Alabama, Ritz, Strand and Galax, and one of the owners of the Rialto,

(Continued on page 2)

Fox Met. Receivers To Seek Extension

Extension of the receivership of Fox Metropolitan Playhouses for another six months will be asked today when Simon Fabian and Irving Trust Co., co-receivers, report on the last six months. The present term expires Feb. 18.

Reorganization plans for the circuit are almost complete and may be submitted to Judge Julian Mack in the U. S. District Court this morning.

Denies Code Forces Hays O.K. on Indies

WASHINGTON, Feb. 14.—Denying any provisions of the code require independent producers to submit their scripts, stills or other material through the Hays California office for precensorship, Division Administrator Sol. A. Rosenblatt today declared no complaints of this nature have been received by him.

Although reports have reached Washington that efforts have been made to initiate this practice, it is pointed out that the only provision of the code which could be used as a basis of such a demand is the industry's pledge to maintain right moral

(Continued on page 8)

ITOA Decides Upon 10-Point Program

Setting up of a 10-point platform for the new fiscal year was decided upon by the I.T.O.A. at its regular meeting yesterday. The new stand followed a report of the past year by

(Continued on page 9)

No Decision Yet On Warner-Erpi Action

No decision on further action in the Warner-Erpi litigation will be made before tomorrow at the earliest, George Quigley, Warner legal representative who has been active in con-

(Continued on page 9)

Many Reject Places Upon Code Boards

Reason Most Often Cited Is Press of Business

Rejections of posts on clearance and zoning and grievance boards have been made by a number of nominees, who, when notified by telegram by Code Authority that they were being considered, have telegraphed back withdrawals. An average of about 75 telegrams has been sent out daily by the authority in the last few days to check up on men suggested for the boards.

Reasons for refusing posts are varied. Chief among them is the complaint that pressure of business will not permit acceptance. In such cases the committee on selections sometimes picks men from the recommendations in hand and sometimes goes outside the lists. No more suggestions from the field have filtered in in the last few days.

As soon as the committee on selec-

(Continued on page 8)

Boards to Be Asked For Office Choices

Reports that Code Authority was considering specific locations as quarters for local clearance and zoning and grievance boards are discounted in view of the fact that Executive Secretary John C. Flinn will get in touch with the various boards shortly after they are named and ask for suggestions for offices.

The locations best suited for the personnel of the boards will be decided upon. Most of them are expected to be set up in film center buildings.

Code Assents Reach New Total of 7,446

Returned unqualified assents to the Code Authority yesterday took a decided drop with only 33 received for the day. Over the week-end 255 came in. The new total is now at 7,446, and with two more weeks yet to go before the deadline is reached, it is anticipated the final figure will be well over 8,000.

Authority Will Go Into Court Tuesday

Members of the Code Authority on Tuesday notified Allied of acceptance of service to defend the suit of the

(Continued on page 8)

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Loews, Vogels Due

Arthur Loew and Joseph Vogel are due to arrive tonight from San Francisco by airplane. Accompanied by their wives, Loew and Vogel will land at Newark airport at 6:30 P.M., having left the coast yesterday afternoon. Loew will make a trip to Europe shortly after his return.

Perretti Joins Sperry

J. J. Perretti, former eastern representative for the United States Air Conditioning Corp., has joined the Kooler-Aire division of the Sperry Products Co. as sales manager for theatres.

Granlund Writes Original

Nils T. Granlund has completed an original, "Man Hater," dealing with the inside dope on night life on Broadway. Universal is considering the story and Joe Rivkin of the Leo Morrison office is handling negotiations.

THE Standard TICKET REGISTER CORP.

Will Repair and Rebuild Any Make
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Good as New
—Mechanically Perfect—
Not to Exceed $10.00 per Unit
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SERVICE DEPARTMENT
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1600 BROADWAY NEW YORK
GEORGE MEAD, General Manager

Birmingham Houses Battle a 10% Tax

(*Continued from page 1*)

Trianon and Ensley, is one of the leaders in the fight.

The tax has been suggested by a Citizens' Committee named to develop new sources of municipal revenue.

Kennedy points out that the four Valatenga houses are part of the bankrupt Paramount-Publix circuit. He also says the Legislature passed up such a tax as impossible of collection and South Carolina is now considering ending its theatre tax.

Theatres are willing to stand their share of a general sales tax, he says.

"U" Regional Talks Set Over Week-End

Week-end regional conferences with the Universal sales forces are to be held for the purpose of getting the reaction of the men to various types of pictures. They will be asked to give their experiences with differing stories and personalities this season so the ideas can be used in developing the new season program.

E. T. Gomersall leaves today for Chicago to hold a meeting tomorrow at the Drake with H. M. Herbel of Chicago, George Levine of Milwaukee, Frank Mantake of Minneapolis, Manny Gottlieb of Detroit, Floyd Brown of Indianapolis and W. J. Heineman of Los Angeles.

On Saturday Gomersall will hold another session at the Hotel Muhlbach in Kansas City with Edward S. Olsmith of Dallas, R. I. Payne of Oklahoma City, William Benjamin of Kansas City, Louis Patz of Des Moines, J. E. Garrison of Salt Lake, J. J. Spandau of Omaha and John Rue of Salt Lake City.

Also on Saturday, Sig Wittman will hold a session at the Pittsburgh exchange with Dave Miller of Buffalo, Saul Reznick of Cleveland, Paul Krieger of Cincinnati and A. Barnett of Pittsburgh. On Sunday Wittman will go to Washington to talk with Edward Heiber and he will have a conference with M. S. Landow in Philadelphia on Monday.

Holding of these meetings is one of the results of the home office conferences which have been in progress for several days.

Korda Sees Biggest Film Year for Britain

(*Continued from page 1*)

"What has been proved, however,' ne adds, "is that Hollywood no longer has the complete monopoly of film production."

On the showing made in 1933, the British industry, according to Korda, will be extended "greater release facilities" for its product of 1934. He asserts the aim of the English producers hereafter will be to concentrate on quality rather than quantity, adding that "quality is something which will ensure respect and attention from any country in the world, and it is an ideal, the attainment of which is an easier task in this country than in America."

Korda said London Films would follow "Catherine the Great," which opened in New York tonight, with "Kongo Raid" and "Exit Don Juan." Then will come six others, costing not less than $300,000 each.

Celebrities Attend "Catherine" Opening

Film, theatrical and social luminaries were among the Broadway first night audience which converged on the arc-lighted Astor last night for the American premiere of "Catherine, the Great," the London Film production distributed here by United Artists.

Among those spotted at the lobby microphone giving radio salutations for the inaugural broadcast of WNEW, and in the audience, were Clark Gable, Edmund Lowe, Lilyan Tashman, Lord and Lady Joseph Duveen, Mr. and Mrs. Marshall Field, Walter P. Chrysler, Chester Morris and Gerald Campbell, British consul general.

Novel exploitation stunts, in the lobby and out front, capped more than a week of generous advance advertising of the opening and added color to the event.

MOTION PICTURE DAILY, reviewing the picture on Feb. 1, said in part:

"Emphatically registering again the strides forward which British production is taking comes 'Catherine, the Great' as an interesting and worthy successor to 'The Private Life of Henry VIII,' along different lines."

Purely Personal

M. ACHARD arrives on the *Paris* and in a few days will leave for Culver City to do the French dialogue on "The Merry Widow" in which JEANETTE MACDONALD and MAURICE CHEVALIER will appear.

EDWARD BERNARD HAVER, an usher at the Roxy, and JOSEPHINE BURDER, sales girl at Arnold, Constable & Co., were married yesterday morning. Then they both went back to work.

GEORGE J. SCHAEFER leaves for Miami today for a short vacation. NEIL AGNEW will alternate for him at the code meetings.

PETER COLLI, Warner manager in Cuba, is in town for conferences with KARL MACDONALD, division manager for Latin America.

MR. AND MRS. RICARDO CORTEZ and RUTH DONNELLY have cut short their New York vacations and are on their way to the coast.

JAMES WHALE, Universal director, arrives tonight on the *Europa*. He will be in town a few days before going to the coast.

LEO G. CARROLL, who has been appearing in "The Green Bay Tree," is on his way to the coast to appear in "Sadie McKee."

PEGGY WOOD arrives today on the *Europa* and will leave shortly to begin work with WILL ROGERS in his next effort.

JANET BEECHER leaves tomorrow for the coast to start work in "Head of the Family" for 20th Century.

MOE STREIMER, U.A. local branch manager, has been confined to bed the last few days with a bad cold.

NELSON EDDY, under long term contract to M-G-M, will give a concert Sunday at the Town Hall.

HOWARD S. CULLMAN will discuss the sales tax over station WINS tomorrow at 12:45 o'clock.

BOB GILLHAM will spend only a couple of days at Miami and then hop over to Nassau.

JOHN C. FLINN expects to make a trip to the coast shortly on Code Authority matters.

MILT KUSELL flew to Buffalo yesterday on the Paramount Victory Drive.

Trading Light on Big Board

	High	Low	Close	Net Change	Sales
Consolidated Film Industries	5	4¾	4	.....	900
Consolidated Film Industries, pfd	17	16¼	17	+ ⅝	2,600
Eastman Kodak	88½	88	88	— ½	600
Fox Film "A"	16½	15⅝	16½	+ ⅜	1,100
Loew's, Inc.	33¾	31⅝	32⅝	.....	14,000
M-G-M, pfd.	24⅞	23	24⅞	+2	600
Paramount Publix	4½	4¼	4½	+ ⅛	9,000
Pathe Exchange	3¼	2⅞	3	.....	6,300
Pathe Exchange "A"	17⅞	17⅛	17⅞	+ ⅜	2,700
RKO	3⅛	3	3⅛	.....	900
Universal Pictures, pfd	28	27	28	+1	4,000
Warner Bros.	7⅛	6⅞	7	— ⅛	7,300

Universal Up ½ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	9⅛	8½	9	— ⅛	21
Trans Lux	2	2	2	.....	10
Universal Pictures	5	5	5	+ ½	1

Pathe Bonds Up 3

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	8½	8	8⅜	— ⅛	41
General Theatre Equipment 6s '40, ctf	8⅜	7	8⅜	+ ⅛	14
Keith B. F. 6s '46	61	60	60	— ⅝	2
Loew's 6s '41, ww deb rights	95½	95	95½	+ ¼	5
Paramount Broadway 5½s '51	37½	37	37	— ½	20
Paramount F. L. 6s '47	45	43	45	+2	50
Paramount Publix 5½s '50	45¼	44¼	45¼	+1¼	17
Pathe 7s '37, ww	92⅞	92	93	+3	6
Warner Bros. 6s '39, wd	55½	54⅞	55	.....	38

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1934-35
NOW IN PREPARATION
WHERE THE WORLD LOOKS FOR MOTION PICTURE facts
PRICE $5.00


Wallace BEERY
SCREEN BOOK
SCREEN
STERY
SOLD
MOTION PICT
THE CRIME OF THE DAY IN HOLLYWOOD
MOVIE CLA
PICTURE PLAY
The screen which has waited ten years for a picture to equal the thrill, the epic humanity of "The Big Parade" now welcomes "VIVA VILLA." Because in its 1001 nights of amazing, romantic adventure... in its story of riotous revolution and revelry...in its blood-tingling heroism is entertainment that will pack the theatres of the nation!
"VIVA VILLA!"
An all-star cast with thousands of others
in METRO-GOLDWYN-MAYER'S Giant of Screen Triumphs!
Produced by DAVID O. SELZNICK
Directed by JACK CONWAY
HIS M-G-M
D is telling
7,000,000
notion pic-
ure fans
bout it!
TEN
"SMILIN' THROUGH"
Radio Stars

In behalf of LONDON FILM PRODUCTIONS, Ltd.
and my associate, MR. TOEPLITZ,

I wish to thank the American press and public for their splendid reception of our successor to "THE PRIVATE LIFE OF HENRY THE EIGHTH"



The GREAT

and all the fine things they are
saying about the performances of

DOUGLAS FAIRBANKS, JR.

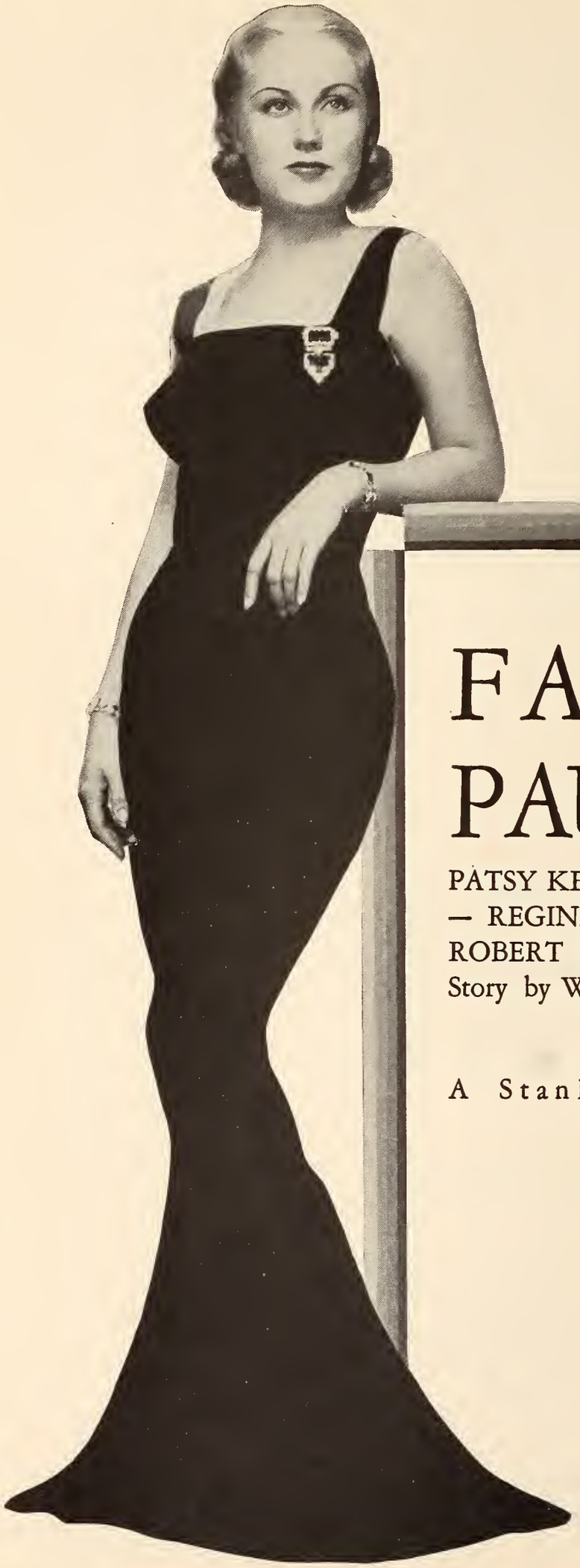
and

ELIZABETH BERGNER

and the consummate direction of

PAUL CZINNER

.. Alexander Korda



—another

CLASS COMEDY ROMANCE

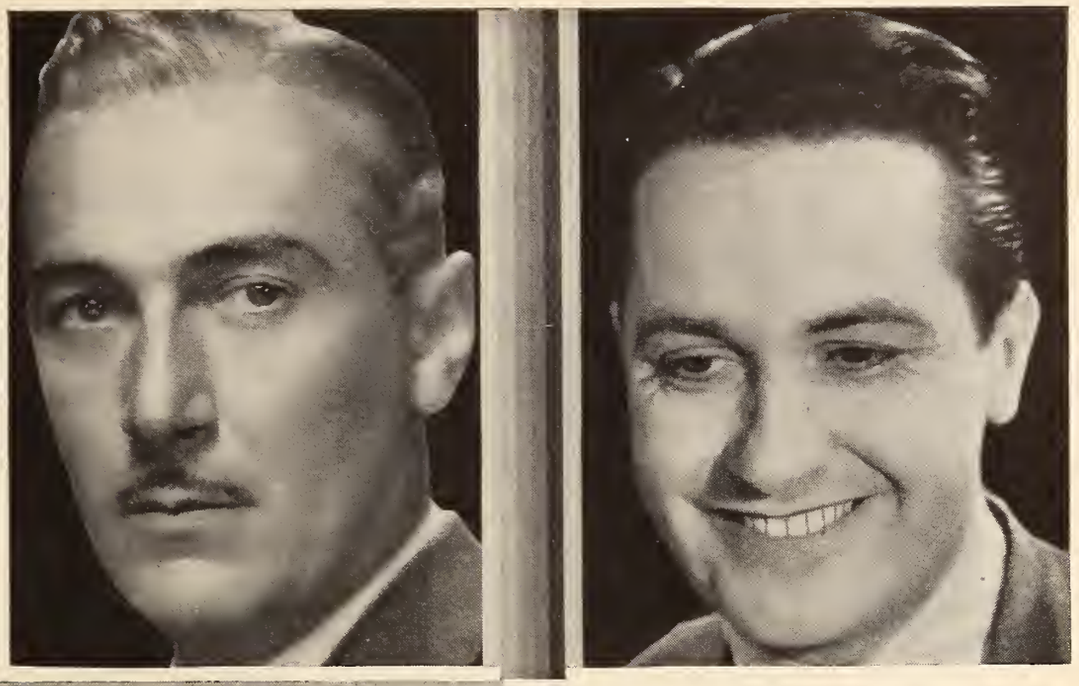
FAY WRAY
PAUL LUKAS

PATSY KELLY—PAUL PAGE—CARMEL MYERS — REGINALD OWEN — JOHN SHEEHAN — ROBERT McWADE — RICHARD TUCKER.
Story by Walter Fleisch. Directed by Karl Freund.
Presented by Carl Laemmle.

•

A Stanley Bergerman Production.

NIVERSAL



SHE was only a movie extra girl — oh, so beautiful . . . and oh, so broke! She was working on the Monte Cristo set . . . They fitted her out with furs, clothes, swell car, bags and baggage . . . She stepped on the gas and drove right off the set — into the grandest and funniest adventures you ever heard of. Without a penny to her name she had become "The Countess of Monte Cristo" in real life! . . . What happened thereafter is going to keep your crowds highly entertained for an hour or more! Book it!

OUNTESS OF ONTE CRISTO

Many Reject Places Upon Code Boards

(Continued from page 1)

tions agrees on certain boards, notice is sent to Division Administrator Sol A. Rosenblatt so that quick action on checking impartial members can be made. It is expected that the committee will complete all board setups by tonight for presentation to the authority tomorrow.

Personnel of the first group of boards, including impartial members, may be announced following the session tomorrow. However, that depends on Rosenblatt, since no boards will be announced without the outside men being included.

Also expected to be announced after tomorrow's session is the ruling of the NRA supporting Rosenblatt's 10 per cent cancellation order. The meeting is scheduled to be held at the authority's headquarters in the RKO Building.

36-Hour Week Fails To Excite Industry

(Continued from page 1)

ing on a 40-hour basis, the film industry being one of the few exceptions. While General Johnson has sent out "feelers" as to the possibility of a 32-hour week, it is generally believed that he will not press for less than 36 hours, in which event the film industry will not be required to make any changes in its present labor program.

Authority Will Go Into Court Tuesday

(Continued from page 1)

Congress theatre, Newark. The official notification was submitted to Judge Knox. Injunction proceedings come up next Tuesday before Judge Bondy in the U. S. District Court.

No agreement has been reached on unification of defense. Division Administrator Sol A. Rosenblatt will be defended by the NRA legal department, but whether Code Authority members will be represented by one attorney instead of individual counsel has not yet been determined.

Denies Code Forces Hays O.K. on Indies

(Continued from page 1)

standards in production and to adhere to the regulations promulgated by and within the industry to assure the attainment of such purpose. This provision, however, is not interpreted as authorizing the establishment of any central censoring agency.

Lowell Complaints Up

LOWELL, Feb. 14. — Complaints against two theatres for refusal to pay wages required under the code have been referred to the State Compliance Board for review. The two theatre managers in question were summoned to appear before the local Compliance Board, and when they failed to appear, the cases were sent to the State Compliance Board for action.

Inclement Weather Keeps Gross Down in Key Cities

(Continued from page 1)

ports gathered by MOTION PICTURE DAILY in 22 cities.

In that two-week range, the cities that showed a decline currently over the previous week are Boston, Denver, Des Moines, Detroit, Kansas City, minneapolis; New York, where the drop was over $37,000; Oklahoma City and Providence.

Cities reporting an increase are Buffalo, Chicago, Cleveland, Indianapolis, Omaha, Philadelphia, San Francisco, St. Paul and Seattle.

How the two weeks compare:

	Week Ending Feb. 2-3		*Week Ending Jan. 26-27*	
	No. Theatres	Gross	No. Theatres	Gross
Boston	6	$102,500	6	$112,500
Buffalo	5	48,000	5	43,700
Chicago	7	126,000	7	125,500
Cleveland	6	57,100	6	44,450
Denver	5	38,100	5	39,500
Des Moines	5	28,500	5	29,500
Detroit	6	61,400	6	66,300
Indianapolis	5	27,500	5	26,000
Kansas City	4	33,600	4	37,700
Los Angeles	11	95,819	10	85,615
Minneapolis	5	23,000	5	24,000
Montreal	4	39,000	5	43,000
New York	12	270,652	12	308,452
Oklahoma City	4	12,250	4	17,600
Omaha	4	28,000	4	26,500
Philadelphia	9	103,600	9	87,400
Pittsburgh	6	50,900	7	40,900
Portland	6	25,300	5	23,000
Providence	6	39,100	6	48,400
San Francisco	7	72,000	7	64,500
St. Paul	5	17,700	5	16,000
Seattle	7	38,250	7	38,000
	135	$1,338,371	135	$1,348,517

Comparative grosses for the last nineteen weeks, compiled from day-by-day box-office reports, show this:

Week Ending	*Theatres*	*Grosses*
September 29-30, 1933	135	$1,342,710
October 6-7	141	1,417,886
October 13-14	143	1,544,838
October 20-21	141	1,581,308
October 27-28	143	1,509,422
November 3-4	142	1,500,740
November 10-11	141	1,379,560
November 17-18	144	1,375,132
November 24-25	141	1,431,209
December 1-2	141	1,418,753
December 8-9	142	1,558,832
December 15-16	139	1,221,032
December 22-23	133	1,071,457
December 29-30	138	1,433,289
January 5-6, 1934	136	1,714,824
January 12-13	138	1,435,649
January 19-20	136	1,305,267
January 26-27	135	1,348,517
February 2-3	135	1,338,371

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Jerome Held Technicolor

William Travers Jerome, New York's famous district attorney of 30 years ago, who died Tuesday of pneumonia in his 75th year, was at one time the controlling head of Technicolor. It was in 1920 that he acquired control of the Technicolor process and gave it his backing. He developed the company from nothing to a $22,000,000 business when he withdrew from it eight years later.

In New Offices

Code Authority yesterday moved into its permanent offices on the 23rd floor of the RKO Building. The meeting of the authority will be held there tomorrow and will mark the first get-together at the board's headquarters.

New Advertising Idea

HOLLYWOOD, Feb. 14.—A new wrinkle in advertising pictures will be revealed here for the first time tonight when Paramount will project scenes from forthcoming films on a billboard device, 70 feet wide by 60 high, on the corner of Wilshire Boulevard and Serrano St. The device will be operated continuously.

"Henry" Argentine Hit

United Artists has received word that "The Private Life of Henry VIII" broke all records at the Mar del Plata in the town of that name, a seaside resort outside of Buenos Aires. Scales were raised from 70 cents to $1.

NRA Seeking Code Change Suggestion

(Continued from page 1)

days ago that public hearings wou have to precede actual changes.

Subjects to be discussed have be divided into five general groups as fo lows:

Group 1—Possibilities of increasi employment; wages and hours; cor parative situation of capital goods a consumer goods industries.

Group 2—Trade Practices: Cos and prices; protection against destru tive competition, and against exces ive prices and monopolistic tende cies.

Group 3—Trade Practices: Contr of production; limitation of machi hours; restriction of expansion of f cilities; ethical practices regulati competitive relationship.

Group 4—Code Authority organiz tion; code administration, includi compliance and enforcement; inequal ties, inconsistencies and overlapping codes; inter-industry and inter-co coordination; the financing of code a ministration; use and control of t code eagle.

Group 5—Operation of codes small enterprises; position of mino ties.

President Roosevelt will address t first public meeting in Constitutio Hall on the morning of March 5. A other public meeting is set for t following day with group and ge eral conferences to be held on Mar 7 and 8.

Allied Withdrawals Fail to Arrive Her

Although two members of Allie Theatre Owners of the Northwes went on record at a meeting Jan. 3 to send in letters to Code Authorit withdrawing their unqualified assents no copy of such letters has reache the authority headquarters and n word has been given by Division Ad ministrator Sol A. Rosenblatt o receipt of the missives.

St. Louis Theatres Dickering on Dual

ST. LOUIS, Feb. 14.—First run ex hibitors in the downtown area ar prepared to drop twin bills provide subsequent run houses fall in line Meetings are being held regularly b independent theatre owners in a effort to secure a concerted move t eliminate doubles.

Columbia After Baer

HOLLYWOOD, Feb. 14.—Columbia and Max Baer are talking over a one-picture contract. Harry Cohn i awaiting word from his brother Jack in New York before okaying the pact.

Baer is not going into Mae West's next picture because of a dispute over billing.

Seat Showroom Opened

International Seat Corp. has opened a showroom in the Paramount Build ing with J. George Feinberg, vice president, in charge.

Quigley Award To Grimes of West Virginia

Kenneth A. Grimes, manager, War-r Theatre, Morgantown, W. Va., is nounced today as the winner of the nuary Quigley Award for his ex-oitation campaign on "Dinner at ight," having been selected by the dges as possessing the highest merit all those submitted during the onth to the Managers' Round Table lub of *Motion Picture Herald.*

Awarded first mention are the fol-wing: Gene Curtis, manager, and en Finlay, exploiteer, Palace The-re, Montreal, for campaign on Little Women;" H. W. Evens, man-ger, Loew's State, St. Louis, for mpaign on "Roman Scandals;" and . F. Morrison, manager, Rialto, rockton, Mass., for his second run mpaign on "Footlight Parade."

Get Honorable Mention

Honorable mention certificates have een designated to these runners-up: Wally Allen, city manager, Keeney, El-ira, N. Y.; John Armstrong, publicity rector, Carlton, London, England; Irv-g Blumberg, manager, Stanton, Philadel-hia; Charles Brennan, manager, Poli, artford; Gilbert C. Brown, city manager, aramount, Kankakee, Ill.; Mike Cullen, anager, Loew's Penn, Pittsburgh; Charles utkin, manager, Parkside, Camden, N. J.; amuel Feinstein, manager, Franklin Park, orchester, Mass.; Joseph Feldman, man-ger, Earle, Philadelphia; Bob C. Gary, anager, Paramount, Des Moines; Walter olden, advertising manager, Riverside, acksonville; Louis Lamm, manager, Cap-ol, Elyria, O.; F. A. Regan, manager, untington Park, Huntington Park, Cal.; onny Shepherd, manager, Mayfair, Miami, la.; Arthur Swanke, manager, Saenger, ope, Ark.; Anna Bell Ward, general man-ger, Phoenix Amusement, Lexington, Ky.; ichard Watson, manager, Gladmer, Lans-g, Mich.; Al Zimbalist, advertising man-ger, St. Louis Amustment, St. Louis.

The January judges were George J. chaefer, vice-president, Paramount ictures; S. Charles Einfeld, Warner dvertising director; and Arthur L. layer, managing director, Rialto, ew York.

Purpose of Awards

The Quigley Awards are sponsored *Motion Picture Herald* to stmiu-te and encourage theatre exploita-on during 1934, and for this pur-ose Martin Quigley is offering as rizes a series of silver plaques, one be awarded each month for the best mpaign submitted within that time. anagers everywhere have been in-ted to send in campaigns on any oduct, domestic or foreign. In ad-tion, the Quigley Grand Award has en created to be given for the best mpaign put over during the entire ar.

Three judges from distribution, ad-rtising and exhibition will select ch month's winner. Besides those entioned above, the following have cepted appointment to serve on the onthly committees during the year: Mort Blumenstock, advertising; Clayton Bond, exhibition; H. D. Buckley, exhibi-n; John Clark, distribution; Howard itz, advertising; Ned E. Depinet, dis-bution; Oscar A. Doob, advertising; E. Fay, exhibition; S. Charles Einfeld, ad-rtising; Bert Ennis, advertising; Felix F. ist, distribution; W. R. Ferguson, ex-itation; John C. Flinn, exploitation; Ed-rd Finney, advertising; Robert M. Gill-m, advertising; James R. Grainger, dis-bution; Ben H. Grimm, advertising, Paul lick, publicity; Hal Horne, advertising; Ray Johnston, distribution; Irving sser, exhibition, Jules Levy, distribution, Licbtman, distribution; Chas. E. Mc-Cartby, advertising; S. Barret McCormick, advertising; Dan Michalove, exhibition; Geo. J. Schaefer, distribution; Robert F. Sisk, advertising; A. W. Smitb, Jr., distribution; Herschel Stuart, exhibition; Gordon S. White, advertising; G. S. Yorke, advertising; Leo Brecber, exhibition; George Brown, advertising; P. D. Cochrane, distribution; Lou Goldberg, exploitation; Edward Golden, distribution; Arthur L. Mayer, exhibition; Si Seadler, advertising, and Spyros Skouras, exbibition.

According to A-Mike Vogel, Managers' Round Table Club chairman and award director, many managers have entered the competition with hundreds of campaigns received for the January prize from 25 states, Canada, England and South America.

Grauman Takes Reel

For the first time in three years, according to Edward Bonns, Universal short subjects sales manager, Grauman's Chinese in Hollywood has booked a newsreel. An agreement signed by A. J. O'Keefe, Los Angeles exchange manager, calls for two issues of the "U" reel weekly for a year.

Expect Big Turnout At Party in Capital

WASHINGTON, Feb. 14.—Reservations are pouring in for the Managers' Round Table party to be held Saturday night at Club Michel, 14th and Thomas Circle, N. W. Walter Morris of the Metropolitan is in charge of arrangements.

Others helping out are Frank Boucher of Hagerstown, Elmer H. Brient of Richmond, Benjamin T. Pitts of Fredericksburg, J. Louis Rome of Baltimore and Carl B. Sherred of Cumberland.

Among the guests expected will be J. J. Payette, Washington theatre zone head; Stephen A. Early and Marvin H. McIntyre, White House secretaries, and A. Julian Brylawski, Washington M.P.T.O. president.

Austrian Theatres Halted by Uprising

(*Continued from page* 1)

vised yesterday by European representatives.

Not more than a score of theatres of any consequence are believed to be in operation and those that are have been reported to be giving daytime performances only. Some damage to Vienna theatres as a result of the violence of the Socialist rebellion in that city was reported here, but theatre properties in other sections of the country are believed to have escaped damage.

Patent Suit Dismissed

WILMINGTON, Del., Feb. 14.—Judge John P. Nields in U. S. District Court here today dismissed the patent infringement suits brought by John M. Miller against NBC and RCA Communications. The suits involved patents for the Piezo electric oscillation generator granted Miller April 22, 1930.

New Sound for Century

Eight houses of the Century Circuit in Brooklyn and Long Island have contracted for Erpi's wide range reproducers. The houses are: Kingsway, Albemarle, Merrick, Queens, Patio, Marine, Avalon and Grove.

ITOA Decides Upon 10-Point Program

(*Continued from page* 1)

Harry Brandt, president, and includes the following:

1. To continue to fight for elimination of percentages.
2. To battle for new clearance and zoning schedules.
3. To clear up the local labor situation created by the code.
4. Cooperative buying of supplies and equipment for members.
5. Collective public liability insurance.
6. To fight for corrective legislation.
7. To fight to eliminate the seat tax by the American Society of Authors, Composers and Publishers.
8. To abolish score charges from film rentals.
9. To abolish the national district telegraph box compulsory in all theatres seating over 600.
10. Drive to enlist every independent into the organization. The unit now claims 70 per cent.

The unit went on record as definitely opposed to the Hays office fight on censorship and also decided not to send in code assents until the local labor situation is cleared up by Division Administrator Sol A. Rosenblatt. A tentative meeting between Brandt and Rosenblatt is scheduled for tomorrow.

Efforts are being made on the part of Senators Quinn and Walters to have theatres excluded from the two per cent sales tax.

Final preparations are being completed for a ball at the Waldorf Astoria Washington's Birthday Eve.

No Decision Yet on Warner-Erpi Action

(*Continued from page* 1)

nection with this particular litigation, said yesterday in commenting on Wilmington reports that Warners would renew action in the courts rather than resubmit their claims to arbitration.

"Any report on our future action is pure guesswork at this time," he said. "No decision has been reached."

Caravan to Rochester

SYRACUSE, Feb. 14.—The "Moulin Rouge" caravan left for Rochester today after a hectic reception by the mayor here, a personal appearance at Loew's State, and a dance at the Onondaga Hotel which was attended by city officials and prominent citizens.

Similar activities are scheduled for Rochester with an appearance at Loew's there.

Grainger to West Indies

James R. Grainger, general sales manager of Universal, underwent a minor operation on his nose yesterday morning and at noon sailed for the West Indies and warm climate to avoid contracting a cold. He will be gone about two weeks.

Special Variety Car

CLEVELAND, Feb. 14. — Arrangements are being made for a special car to take the Cleveland delegation to Detroit to attend the Variety Club banquet on Feb. 24.

File 2 Trust Suits Against Electrics

Two anti-trust actions seeking aggregate triple damages of $3,045,000 were filed against Western Electric, Erpi and A. T. & T. in U. S. District Court here yesterday by the Theatre Electrical Service and the Ninth Ave. Amusement Co.

The suits are identical and both complainants are represented by the same attorneys. They allege an attempt to establish a monopoly and to restrain trade by patent pooling arrangements and agreements with large producers and exhibitors. The Theatre Electrical Service suit asks triple damages of $3,000,000 and the Ninth Ave. Amusement suit asks triple damages of $45,000.

Western Electric and Erpi spokesmen could not be reached yesterday for comment on the suits.

Two-Day Radio Meet Here Is Concluded

Radio's two-day sales conference at the Park Central was brought to an end last night. New season product and other sales topics were discussed by home office executives. Jules Levy presided.

Among the speakers were: Frank Buck, Courtland Smith, president of Pathe News; Sam Jacobson, production manager for Van Beuren; Joseph Nolan of the legal department; Al Mertz, short subjects sales manager; Robert F. Sisk, director of advertising and publicity; S. Barrett McCormick, advertising manager; J. P. Skelly, manager of exchange operations; E. L. McEvoy, eastern and Canadian sales manager; Cresson Smith, western and southern sales manager; F. L. McNamee, Philadelphia branch manager; Frank Kennedy, manager of sales control, and Lou Gaudreau, purchasing agent.

Among those attending were: Mike Poller, assistant to Jules Levy; W. E. Branson, mid-western district manager; J. H. McIntyre, southern district manager; and the following eastern branch managers: C. R. Halligan, Albany; R. C. Cropper, Boston; H. T. Dixon, Buffalo; S. C. Jacques, Cincinnati; H. Greenblatt, Cleveland; N. Levy, Detroit; R. E. Churchill, Indianapolis; B. Pitkin, New Haven; R. S. Wolff, New York; G. M. Lefko, Pittsburgh, and R. C. Folliard, Washington.

Among the home office contingent were: A. A. Schubart, manager of the contract department; Leon J. Bamberger, exploitation department; Harry Gittleson, editor of *Flash:* Eddie Horne, head of the print and negative department, and Rutgers Neilson, publicity department.

Decision was made last night to hold two additional meetings. One will be in Chicago on Monday and Tuesday with Cresson Smith, western sales manager, and Walter Branson, district manager, presiding. This will be followed by a Wednesday-Thursday session in Memphis with Smith again on hand, plus J. H. MacIntyre, southern district manager.

June Knight Held Over

MIAMI, Feb. 14.—June Knight has been held over for three more weeks at the Beach and Tennis Club, thus delaying her trip to Universal City.

Looking 'Em Over

"As the Earth Turns"

(*Warners*)

The talker version of Gladys Hasty Carroll's popular novel is almost entirely a picture with a mood, the spirit of which Director Alfred E. Green has captured well.

If "As the Earth Turns" were to be judged on the basis of story weight, there would be little to say about it. What there is of narrative never catches up with the effect of the rigors, hot and cold, of the Maine seasons and what they do to the principal players, among whom Jean Muir stands as a tower of strength and womanly understanding.

You get a group of families. Among them is Clara Blandwick, wife, and Dorothy Appleby, adopted daughter, of David Landau, valley farmer. They are from nearby the city and in revolt against farm life. Also there are Arthur Hohl, lazy farmer, and Dorothy Peterson, his wife and mother of a flock of his children. Hardship has turned her against the soil. To the valley comes the Janowskis, tailors all, except Donald Woods, the son, who feels he belongs close to Mother Earth and, despite handicaps, eventually stays to marry Miss Muir, Landau's daughter, mother and wife rolled into one sacrificial individual.

You get their troubles, most of them concerned with dragging an indifferent livelihood from the ground and a constant battle with the elements which seem pitted against them. There is emotional conflict created largely by Miss Appleby, the awakening of love between Miss Muir and Woods and their final mating.

In point of performance and, while the cast is effective with the exception of Miss Appleby, it is Miss Muir who does the best work. Her work is telling and convincing in a quiet, restrained sort of fashion that lends power to her characterization. Next, we would place Sarah Padden and Egon Brecher as the Polish immigrants.

"As the Earth Turns" is devoid of villainy, sensationalism and the lurid. It is a quiet, but forceful picture of farm life in Maine and, of its type, ranks high. KANN

"The Cat and the Fiddle"

(*M-G-M*)

Excellent entertainment, a trifle long in its present form, that can be sold as a musical or a light drama, as neither element overshadows the other. This picture may be the tip-off on the musical production of the near future. It is different from other musicals up to now, if only from the standpoint of strong story values and a continuity uninterrupted by the music. It can safely be sold as "something new in musicals" and should satisfy exhibitors and critics who have complained of the breaking off of action by the introduction of music that has no place in the story. This picture meets the problem nicely.

Ramon Novarro, an impoverished student composer, is a rival of Frank Morgan's for the favors of Jeanette MacDonald. Morgan, a musical producer, popularizes a song composed by Miss MacDonald, which brings her considerable wealth at the same time that she decides she loves Novarro. The latter, convinced by Morgan that he is hampering Miss MacDonald's career with his attentions, leaves Paris for Brussels where he completes an operetta to be produced by an infatuated woman who will also star in it. Her wealthy husband discovers her yen for Novarro on the eve of the opening performance and causes her to leave the cast and withdraw her financial support. Miss MacDonald appears to fill the breach at the final moment and bring success to the operetta and a happy conclusion for the love affair.

A final stage sequence is done in Technicolor. The picture is nicely staged and acted, and the music is pleasing. In the cast, in addition to those named, are Charles Butterworth, Jean Hersholt and Henry Armetta. William K. Howard directed.

"Mandalay"

(*First National*)

"Mandalay" provides fair entertainment. One of its greatest handicaps is a story that has seen service time and again. It is the one of the woman of the bawdy house who, set on turning over a new leaf, takes up with a chap who is another bit of driftwood on the current of life, falls passionately in love with him (pure love, mind you) and decides to throw in her lot with his in quest of whatever lies beyond the horizon. In this case the man is a doctor with a weakness for liquor who is trying to expiate his past by bringing succor to the fever-stricken yellow race and the locale is—well, you can guess from the title.

It must be said for the production that it has been photographed beautifully and enriched with the atmosphere of the Orient. Then, too, the acting is first-rate. Kay Francis and Lyle Talbot, as the two heade toward a new tomorrow, are well cast. while Ricardo Cortez, as a love of the old days, does fine work. Other players are Warner Olan Lucien Littlefield, Ruth Donnelly and Reginald Owen. The direction i by Michael Curtiz.

"La Frochard et Les Deux Orphelines"

(*Blue Ribbon Photoplays*)

"La Frochard et Les Deux Orphelines," a talker version of "Th Two Orphans," made in French by Pathe-Cinema, should be set dow as a production of considerable power and intelligence. It brings t the screen again the D'Ennery and Cormon classic familiar already t American cinemagoers, to whom it introduces Yvette Guilbert, note French actress and diseuse of the Comédie Française, as a performer vital force and wide grasp of character, in the part of the cruel begga woman who forces the blind orphan to beg in the streets for her.

This is a film that carries an emotional kick and impresses with it fine photography, which does much to sustain the mood of the story Atmospherically the production leaves little to be desired and it possesse much acting of a high order. The use of English titles and the sim plicity with which the tale has been developed should make it easy fo American audiences to understand. However, it should be shortened bit.

Among the players are many from the roster of the Comédie Frar çaise. Maurice Tourneur's direction is commendable.

"Carolina," this morning's opener at the Music Hall, was reviewed by wir from Hollywood on Jan. 26.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Spitfire"

(*Radio*)

HOLLYWOOD, Feb. 14.—Katharine Hepburn, as a sort of miracle gi of the backwoods country, is presented as Trigger in "Spitfire," a vivic moody maid who manifests simple faith and the potent power of praye This Trigger is a provocative wench, as Miss Hepburn plays her— vital, human, a strange mixture of storm, sunshine and exuberance.

In fashioning the portrait, Miss Hepburn runs the rainbow's rang of emotions from primary feelings to subtle tints, tones and hues. Sh creates an indelible image, spun whole-souled from the fine filament of her spirit.

Being essentially a character study, the story revolves around Trigge who lives alone, takes in washing, spurns intruders, reads Biblica quotations, offers prayer and advice to a girl "who wants a feller, falls in love with a married man and runs amuck of the mountain mo when she kidnaps a sick baby and, by faith and love, cures it.

The picture is way off the beaten path and will cause talk pro an con, but Miss Hepburn's performance will stir deeply and intrigue b its superb quality and sincerity. Ralph Bellamy, as an engineer inter ested in Trigger, turns in a performance second to Miss Hepburn's Robert Young, Martha Sleeper, Louis Mason, Sara Haden and other in the cast are good.

John Cromwell directed well.

Distinctive shots are Miss Hepburn talking to a toad, and the sta unable to sleep in a soft bed, spending the night on the hard floor.

The production is a triumph of Miss Hepburn's personality, whic gives the picture the star's box-office rating.

Arthur in St. Louis

ST. LOUIS, Feb. 14.—Harry C. Arthur and Jack Partington of F. & M. are here from New York discussing operation of the Fox and St. Louis, the latter house playing stage shows and the former featuring twin bills. They leave for the east in a few days.

Ritz Boys Delay Short

Because the Ritz Brothers have several vaudeville dates to complete, they will not start work on their first Educational short until March 17. They open tomorrow at the Century, Baltimore.

Blue for Philadelphia

Ben Blue has been booked by th Leo Morrison office into the Earl Philadelphia, starting tomorrow an from there he will go to the Earl Washington, both Warner theatres Following the vaudeville dates, he wil sail on the *Manhattan* for an engage ment at the Palladium and Cafe d Paris. Joe Rivkin handled the deal

Clive Starts Work

HOLLYWOOD, Feb. 14.—Colin Clive who arrived from the east yesterday started work at Warners today i "The Key."

New Theatre Union Recognized by Roxy

The Roxy gave recognition yesterday to Local 118, Building Service Employes' Union, with the signing of a wage scale contract for the 21 janitors and cleaners employed at the house. Ushers, ticket takers, doormen and cashiers, employe classifications embraced by the union, were not included in the contract signed by Howard S. Cullman, receiver for the Roxy. It was understood that these employes were satisfied with present wages and hours and did not ask for representation in the negotiations.

No decision on recognizing the union and returning striking employes of the Paramount, Stapleton, S. I., to work will be made until Monday when Paramount officials authorized to take such action will be back in the city from business trips, the NRA Regional Labor Board here was advised yesterday by Paramount. The Regional Labor Board recommended the preceding day that Local 118 be recognized and the strike be brought to an end.

Cleveland Checkers Complaint Targets

CLEVELAND, Feb. 14. — Complaints have been made to the Cleveland M. P. Exhibitors Ass'n. that local representatives of Ross Federal Service on checking assignments here have exploited theatre patrons by distributing cough drops, without charge, in connection with an advertising campaign of the manufacturer of the drops. In some cases, it was charged, the checkers' activities were carried on without the consent or knowledge of the exhibitor.

Claude Saunders, general manager of Ross Federal Service, said yesterday that the company had received no report of the complaints said to have been made in Cleveland and declared that the home office would not countenance such activities unless they were carried on with the consent of the exhibitor whose theatre and patrons were involved.

Warners Will Have 75% Finished Soon

Warners claim to be farther along in their schedule than ever before at this time of year. With the completion of four now shooting and 10 cutting 75 per cent of the total list will have been finished.

Those shooting are: "The Key," "Fur Coats," "Fog Over Frisco" and "Without Honor." Those cutting are: "Hot Air," "A Very Honorable Guy," "Merry Wives of Reno," "Upper World," "Registered Nurse," "Heat Lightning," "A Modern Nurse," "Jimmy the Gent," "Harold Teen" and "Hit Me Again."

Protect Boston Receipts

BOSTON, Feb. 14.—Police have arranged a new check on theatre receipts to minimize holdups. Under the new plan telephone calls notify police when cash receipts are carried from theatres to banks, or taken to some place for safekeeping. Police provide an officer when needed, and are notified by telephone of the safe arrival of the messenger when funds are carried without police escort.

Variety Club Chatter

COLUMBUS, Feb. 14. — LAWRENCE BURNS of the Champion has returned from the Hocking Valley after reopening his coal mine, which had been closed down for the past four years. Four days at the mine and three days at the theatre each week means three days of gold nuggets and four days of black nuggets—rather a healthy combination.

JIM YARIAN, announcer, and BERT WILLIAMS, program director of Station WBNS, are putting on one of the finest programs in the Middle West each Sunday evening at 6 o'clock. BERT, with his symphony orchestra, is featuring JACK RICHARDS and BILLY CHURCH, star vocalists of the AL G. FIELDS Minstrels.

BOB CLARK, son of DUKE CLARK, prexy, is making a big hit with his 12-piece orchestra in the Deshler-Wallick Grill. DUKE, JR. and DONALD, the two other sons of the CLARK menage, are also playing in the orchestra, a la Lombardo Bros. They are in their fifth week.

CAB CALLOWAY was seen talking over his coming European trip with JIMMY PEPPE of Valley Dale, LEO HAENLEIN of Olentangy Park and RUSSELL BOVIM of Loew's Ohio. CAB was guest of the club at the Valentine Party.

JACK KELLY, business manager of Station WSEN; KENNETH REID, manager of Loew's Broad; ARDEN STRANG, publicist of the RKO Palace, and EVAN LLOYD, Paramount ad man, are entered in the city-wide ping pong tournament, representing the Variety Club.

The club is planning on sending 40 to Detroit's first big party on Feb. 24.

U. S. Expects More Show Tax Revenue

WASHINGTON, Feb. 14.—A steady gain in revenue from the admission tax during the next 18 months is expected by the Treasury, it is indicated by figures in the report of the House Ways and Means Committee on the new tax bill.

Actual receipts during the fiscal year 1933 were $14,520,512, it is shown, while estimates of future revenue predict a total of $15,500,000 for the fiscal year ending June 30, next, and of $17,200,000 for the fiscal year 1935.

Magna Signs Grinde

Magna Pictures yesterday signed Nick Grinde, former M-G-M director, to do a series of shorts with Bert Lahr and Harry Richman. He arrives from the coast Monday.

The company with which Meyer Davis, band leader, and A. J. Van Beuren are identified, releases through RKO and states it plans a feature to get under way about June 1.

Sid Silvers Quits Fox

HOLLYWOOD, Feb. 14.—Sid Silvers, Broadway comedian, and Fox have severed relations and the actor will leave for New York within a few days. B. G. DeSylva will make the trip with him, where the duo will do a show. Silvers' writer-actor contract, which had five months to run was bought up by the actor.

"U" Re-Signs Zeidman

HOLLYWOOD, Feb. 14.—B. F. Zeidman has signed a new Universal contract calling for four features to be made this year. His former contract called for two pictures, the last of which, "Glamour," he is now completing. His first on the new contract will be Vicki Baum's story, "I Give My Love."

Form Dominion Theatres

DOVER, Del., Feb. 14.—Dominion Theatres, Inc., has been chartered here to operate theatres, music halls, etc., listing capital of $10,000. The incorporators are Walter W. Gross, Arthur Israel, Jr., and Emery J. Woodall of Jackson Heights, L. I.

Hanson Circuit for British Film Looms

TORONTO, Feb. 14.—Formation of a circuit across Canada for handling British films is understood to have been started by Oscar R. Hanson. He has begun with the acquisition of the Carlton here, and is understood be dickering for various others houses in this city and Montreal.

Hanson is identified with all branches of the industry in the Dominion as president of Empire Films, Ltd., and general manager of Associated Theatres, Ltd., which is a cooperative for independents. He is also general manager of Allied Exhibitors of Ontario which looks after the political interests of theatre owners.

Empire Films is distributing British International and other product.

According to plans, Hanson Theatres, Ltd., which is to be the name of the new project, will book at least 90 per cent British films.

Troubles Grow for Vienna's Theatres

WASHINGTON, Feb. 14.—Vienna theatres are in a bad way and are disappointed because a proposed 20 per cent reduction in the amusement tax effective July 1 was not larger, according to reports from Commercial Attache T. L. Hughes to the Motion Picture Section of the Department of Commerce.

Unemployment is increasing, according to the reports, sound equipment has not been amortized, and fastidious audiences are refusing to patronize any but the expensive pictures.

FWC Ruling Delayed

HOLLYWOOD, Feb. 14.—Decision on trustees' and counsel's fees in the Fox West Coast receivership which was to have been announced today, was again set back today by Referee S. W. McNabb for study of the latest appraisers' report showing approximate value of the holdings reached $13,063,000, with the possibility of this figure being changed upon completion of the appraisal. The fees sought amount to approximately $152,000. Decision is looked for today.

Nudist Film Wears Mindlin Suit Now

Trial of a suit for an accounting of profits on "This Nude World," nudist picture made in Europe last year by Mike Mindlin, is scheduled to open in Supreme Court at Mineola, L. I., today. The suit was brought by Mindlin and names as defendants Herman Robbins, Toby Gruen and George Dembow, who are officers of National Screen Service. Mindlin alleges in the suit that Robbins and Gruen financed production of the picture in accordance with a contract which was to have permitted him to share in profits. He alleges that he has received no remuneration and asks an accounting.

Gruen, queried yesterday on the suit, denied that either he or Robbins had had anything to do with the picture, stating that it had developed from an agreement between Mindlin and Dembow made prior to the latter's association with National Screen.

"This Nude World" was sold in some cities as "Back to Nature." Monogram exchanges distributed the picture in a number of localities.

Gehring to Chicago In Fox Sales Shift

CINCINNATI, Feb. 14.—Bill Gehring, Fox manager here for several years, has been transferred to Chicago as sales manager, effective March 1. He will be succeeded here by Jim Grady, manager at Charlotte.

CHARLOTTE, N.C., Feb. 14.—Herman Biersdorf, salesman for Fox in Washington, succeeds Jim Grady as manager here.

PHILADELPHIA, Feb. 14. — A. J. Davis, formerly stationed here, will return to the local Fox exchange as sales manager while Sam Gross continues as branch manager. Davis is now manager in Milwaukee where Jack Lorentz replaces him.

BALTIMORE, Feb. 14.—Arthur Melvia has succeeded Herman Biersdorff as the representative here for Fox. Biersdorff has gone to Charlotte, N. C., to manage the Fox office there.

Rembusch Suit Heard

The 52,000,000 anti-trust action brought against major companies and the M.P.P.D.A. by Frank Rembusch of Indianapolis went into the second day of its trial here yesterday before Federal Judge Alfred M. Coxe with further introduction of documentary evidence and brief testimony on trade terms and background. The trial will be resumed today.

"Trade Paper Day"

Today is "Trade Paper Day" at the Ampa. Guests of honor will include Gerald Campbell, British consul general in New York; Arthur Lyons, president, National Ass'n of Theatrical Artists' Representatives; Walter Connolly, Phil Baker, Lilyan Tashman and Edmund Lowe.

Roxy Back; No Plans

Roxy is back from his vacation in Florida and declared yesterday he has no plans, but offers. Reports that the deal for his personal appearance tour over Paramount time had been called off were met with this reply: "They made me an offer."





He's now in COLOR!

Willie Whopper

the De Luxe Cartoon Comedy–



HIS TWO CURRENT CARTOON COMEDIES ARE IN GAY COLOR!

"DAVY JONES LOCKER"
"HELL BELOW"

Baron Munchausen, Jr. brings you his two most hilarious releases with the added joy of bright colors. You get them at NO ADDITIONAL COST!

A NEW QUALITY NOTE *from* M-G-M

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 35. NO. 39 NEW YORK, FRIDAY, FEBRUARY 16, 1934 TEN CENTS

MOVE McDONOUGH, DEPINET UP LINE

Code Boards Confined to Total of 62

ersey, Jacksonville and Louisville Dropped

Strict adherence to code provisions l keep the number of clearance and ing and grievance boards to 62, 31 zones, thereby eliminating the sibility of any part of New Jersey, any other distribution center which not a sales office of its own having rds to handle local problems.

Northern New Jersey, Louisville Jacksonville have been under con-eration by Code Authority as prob-e points for additional boards, but plan has been dropped in view of fact that complaints originating m these sources can be handled hout difficulty by boards to be blished at key centers from which are sold. New Jersey exhibitors divide their complaints between New York and Philadelphia.

(Continued on page 4)

gents to Discuss Code's Provisions

irectors of the National Ass'n. of atrical Artists' Representatives ents) will hold a general meeting he Astor tomorrow at 2 P.M., at ch time details of code provisions e heard by Code Authority today be outlined.

irectors to attend are: Arthur ns, president; Alex Gerber, vice-ident; M. S. Bentham, Leland ward, George Grossmith, Charles es, Irving Cooper, Richard Pitt-

(Continued on page 4)

senblatt Asks End Of Mayfair Tickets

vision Administrator Sol A. Ros-tt has notified Howard S. Cull-receiver for the Roxy, that he king the Mayfair to discontinue rtesy tickets" and to comply with sions of the code. Cullman re-

(Continued on page 4)

New Monicker

Billy Brandt says if union-ing of theatre help, such as shers, doormen and the like, ontinues, ushers are apt to e called traffic engineers.

Half Board Absent

Five alternates will sit for Code Authority members at today's meeting. Neil Agnew will act for George J. Schaefer, who has gone to Miami; Jack Cohn will occupy R. H. Cochrane's chair, the Universal executive being ill with a cold; Leslie E. Thompson will sit for M. H. Aylesworth, now in Hollywood; J. Robert Rubin will represent Nicholas M. Schenck, who is due on the coast today; John D. Clark is slated to speak for S. R. Kent, vacationing in Miami.

The other 50 per cent of the board will be there in person.

K. C. Gathers Evidence for Code Boards

KANSAS CITY, Feb. 15.—Evidence of unfair competition in alleged violation of the code is being gathered by individual exhibitors here to serve as basis of complaints to the territorial grievance board when it is set up. If establishment of the board is unduly delayed, the evidence will be submitted direct to Sol A. Rosenblatt, division administrator, it is said.

Alleged code violations pertain to

(Continued on page 4)

Unions Attempt to Line Up Re-Winders

A determined effort by labor representatives to organize film re-winders and inspectors employed in exchanges

(Continued on page 4)

Theatres Tell Union No Pact Can Be Signed

A polite defiance was delivered to Local 118, Building Service Employes Union, the new organization of ushers, doormen, cashiers, ticket takers and janitors, by repreentatives of what was said to be 95 per cent of the Greater New York theatres at a meeting with officers of the local at Loew's yesterday.

The meeting advised Charles C. Levey, secretary-treasurer of the local, that it would refuse to make an exclusive contract with his organization, or any other, on the grounds that it might result in hardship for loyal employes who might be in line

(Continued on page 4)

Philadelphia Cut Rates Cause Worry

PHILADELPHIA, Feb. 15.—The low price legitimate theatre scale at the Erlanger and Broad Street Theatres, operated by Samuel F. Nixon-Nirdlinger, is looming as another competitive threat for the downtown picture houses.

Beginning with the "pass-system," with the plentiful distribution of paper redeemable at the box-office with a 40c fee per person, both houses followed

(Continued on page 11)

Former to Become Film Head—Cooper Induced To Retain Post

HOLLYWOOD, Feb. 15.—That J. R. McDonough, general manager and vice-chairman of the board of directors of RKO, is to be elevated to the presidency of RKO Radio Pictures was announced by M. H. Aylesworth, president and chairman of the directorate of RKO, before departing for New York tonight. Plans are, according to Aylesworth, to have McDonough divide his time between New York and the coast.

Other appointments, it is understood, will be made at the next board of directors meeting. B. B. Kahane, now president of RKO Radio Pictures, will be continued as president of the RKO Studios, subsidiary of RKO Radio Pictures, but will devote all his time to studio affairs and operations. Another change will find Ned Depinet as president of the RKO Distributing Corp. Merian Cooper,

(Continued on page 9)

Fox Midwest-Para. Deal Is About Set

KANSAS CITY, Feb. 15.—While somewhat delayed by differences over disposition of film contracts held for the houses, the deal whereby Fox Midwest takes over the Paramount theatres in Joplin and Springfield, Mo., will shortly be consummated, according to Ed Grubel, of Grubel Bros., the landlords.

Grubel said the deal, which will

(Continued on page 9)

New Fox Met. Plan Ready Any Day Now

Reorganization plans for Fox Metropolitan Playhouses will be presented to the court any day now, Ernest Niver, chairman of the committee,

(Continued on page 9)

Goldwyn's Star Pay Yarn In Magazine Stirs Coast

HOLLYWOOD, Feb. 15.—Samuel Goldwyn's *Saturday Evening Post* article, "Do We Pay Our Picture Stars Too Much?" has stirred up plenty of excitement here. It is called a violation of the studio agreement not to publicize star salaries on the ground that it has a bad psychological effect throughout the country.

Goldwyn's argument was that stars' earning power covers only about five years of their lives; that they often spend years working up to stardom, and that their income should be prorated over their acting careers. They are entitled to what they get, he insisted, because their next picture may be their last, and two bad pictures are sufficient to ruin most careers.

It is understood that several studios have protested to the Hays office that the article was a violation of production ethics.

Crowded Out

***Motion Picture Daily* regrets lack of space made it necessary to reject nine columns of advertising offered yesterday for publication in this morning's edition.**

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

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MAURICE KANN
Editor
JAMES A. CRON
Advertising Manager

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Peekskill Theatres Protest Free Shows

PEEKSKILL, N. Y., Feb. 15.—Free entertainment at the armory, which includes boxing, film shows, etc., has aroused local exhibitors to such a point where they have asked the Code Authority to step in. The theatre men claim attendance at the armory drastically cuts in at the box-office and is unfair competition.

Auten to Hold Benefit

Captain Harold Auten will stage a benefit show in April, the proceeds of which will go to the aid of film men in distress in England.



Insiders' Outlook

BOY, oh boy, oh boy! The old grapevine almost got itself completely tangled in its excitement yesterday. It had to do with the wire which Nelson Rockefeller is reported to have hurried to Roxy in Miami, asking him to come back to the fold, meaning Radio City, in charge and on terms to be set by Roxy. Radio denied it; Roxy denied, but there it was. The excitement sizzled for another reason, however, and that reason was the report the Rockefellers were considering Roxy without RKO. In other words, to run the Music Hall and Center themselves with Roxy at the helm. Maybe important, maybe not is the fact that Rockefellers to date have submitted no terms on those theatres' leases. . . .

▼

Internal set-up at the Roxy which, if it does nothing else, explains why various and sundry men figure in its operation. Howard Cullman, of course, is receiver by court order. Harry Arthur is the maestro on management through Artco, a company formed for that purpose by Cullman. Artco supplies talent and operation. Talent is F. and M. with Jack Partington in on it. Management means Irving Lesser. Sydney S. Cohen represents the first mortgage bondholders' committee, for which Carlos Israels of White and Case is attorney. Artco is one of the four groups which have submitted a plan to take over the theatre, which, by the way, is doing all right. . . .

▼

Heard around town that when the local grievance board gets set, 150 complaints will be filed by the I.T.O.A. Also that the men sitting on this board will have alternates, who will have alternates, who will have alternates, etc., because of the tremendous amount of complaints to keep the body busy. . . . Cecil De Mille will remain true to the bathtub in "Cleopatra." Reposing on the director's desk in Hollywood is a sketch of a gigantic steam affair, large enough to fill a hotel lobby and sufficiently representative of that decadent era. Claudette Colbert will do the splashing. . . .

▼

Fox has been asking members of the studio publicity department for a catchline to pin on Alice Faye. Wants something like the platinum blonde line used over at Metro for Jean Harlow. One of the scribes thought and thought, finally giving up with: "Nerts, why not call her 'Lily of the Valley'?" No dope on the decision. . . .

KANN

Monogram Undecided

Hollywood and Atlantic City are being considered as convention spots by Monogram. The annual sales meet will be held either in April or May.

Long Term for Swanson

HOLLYWOOD, Feb. 15—Gloria Swanson's one-picture deal with M-G-M has been changed to a five-year contract. Her first will be Elinor Glynn's "Three Weeks."

Heavy Gains on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	26	25¼	26	+1	500
Consolidated Film Industries	5¾	5	5¾	+ ¾	3,200
Consolidated Film Industries, pfd	17½	16¾	17½	+ ½	5,400
Eastman Kodak	90¾	90	90¾	+2¾	1,500
Fox Film "A"	17¼	16¼	16¾	+ ¼	11,100
Keith-Albee-Orpheum, pfd	26⅞	24⅝	24⅞	+4⅞	200
Loew's, Inc.	33⅞	33⅛	33¾	+1⅛	31,600
Loew's, Inc., pfd	86¼	86¼	86¼	.....	100
M-G-M, pfd.	25	24½	24½	— ⅜	300
Paramount, cts.	5¼	4½	5¼	+ ¾	65,100
Pathe Exchange	3½	3⅛	3½	+ ½	16,600
Pathe Exchange "A"	18⅜	17⅞	18¼	+ ⅜	3,900
RKO	3⅜	3⅛	3¼	+ ⅛	7,500
Universal Pictures, pfd	30	30	30	+2	4,000
Warner Bros.	7⅝	7¼	7½	+ ½	19,500

Technicolor Gains 1¼ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	10¾	9½	10¼	+1¼	4,300

Paramount Publix Bonds Up 5⅛

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	9⅝	8⅜	9½	+1⅛	114
General Theatre Equipment 6s '40, ctf	9¼	8½	9¼	+ ⅞	16
Keith B. F. 6s '46	61	61	61	+1	1
Loew's 6s '41, ww deb rights	95⅛	95⅛	95⅛	— ⅜	1
Paramount Broadway 5½s '51	40	37⅜	40	+3	60
Paramount F. L. 6s '47	38	34¼	36⅞	+2¾	45
Paramount Publix 5½s '50	50	45½	50	+5⅛	185
Pathe 7s '37, ww	91	90	91	—1	5
Warner Bros. 6s '39, wd	57½	56	57½	+2½	15

Purely Personal

HENRY RANDELL, Brookl Paramount exchange manag leaves for Florida within the next fe days. Work on the Paramount Dri has exhausted RANDELL to the poi where he needs rest.

CARL LESSERMAN, assistant GRADWELL SEARS at Warners, w be far off Sunday on a week's to of the mid-west. SEARS himself leav the same day for a week's trip to t company's Atlanta office.

EDWARD MARKS, author of "Th All Sang," WILLIE and EUGE HOWARD and WEBER AND FIELDS w be Cheese Club guests next Tuesda

BUSBY BERKELEY and his bri MERNA KENNEDY, will fly to N York next month for the opening "Wonder Bar."

CARY GRANT and his bride, V GINIA CHERRILL, are on their way this country on the *Paris*. NORM TALMADGE is on the same ship.

SIGMUND SPAETH and FREDE WORLOCK have been added to the c of "Frankie and Johnny," now work at the Biograph Studios.

SOPHIE PRIZEP, SI SEADLER'S s retary, and BUDDY J. MARKUS, MG librarian, leave for Miami, Feb. 17

DAVE BLUM is expecting bles events. His dog Penny is about increase the family expense.

ROSE BURKES and MARIE AD MAN of the Roxy are recuperat from appendicitis operations.

BERNICE CLAIRE begins work t in "Who Is That Girl" at the Vi phone plant.

IRVING CAESER, tune writer, is b from Movietone City.

HERSCHEL STUART has gone Dallas to visit his wife and baby

J. H. HOFFBERG has returned fr Cuba.

Lesser to Confine Work to Producin

HOLLYWOOD, Feb. 15.—Sol Les intends to concentrate on product hereafter and give up all theatre a distribution interests. In addition, intends to be sole backer of his p ductions.

"If I make hits, I'll take all profits; if I make flops I'll also t the losses," he said.

His present plans call for four tures a year, with Jackie Cooper "Peck's Bad Boy" the first.

Cummins to Featur European Excitemen

Samuel Cummins is at work o feature dealing with current politi and social unrest in Europe. He call it "Revolution" or "Volcano," has not determined on the final ti

Cummins said yesterday the f will be completed in about 10 da There will be no dramatic story exc the drama of the situations as c veyed through newsreel shots.

Duals at Cleveland La

CLEVELAND, Feb. 15.—Commenc today the Lake, a Warner dow town first run, goes to a double f ture policy.

PHOTO-SUMMARY OF WEEK'S NEWS



HEADIN' FOR THE FIRST CLEAN-UP at Sparks' Community Theatre, Miami, where 'Wonder Bar' starts round of gala pre-release openings on February 20th.°



'VEREE NICE WORK' says Bill Powell to Veree Teasdale after careful scrutiny of latest banner b. o. figures on 'Fashion Follies of 1934' from Detroit, Boston and Albany.°



'COME UP AND SEE ME in my latest hit,' says *Jimmy the Gent*,* 'at Warners' National Trade Exhibit on March 6th,' when full line of spring product samples will be screened for visiting showmen.

FILM DAILY ADDS to wealth of trade press praise of 'As the Earth Turns' by rating it 'one of a select few in the history of Hollywood.'*



'CHI'S TOP BIZ' is *Variety's* report on Publix premiere of Kay Francis in 'Mandalay,' while Cleveland breaks house record and Memphis flashes 'best business since *Footlight Parade*.'°



ANOTHER 'BEST' FOR WARNERS is legit stage's gorgeous Edna Best, whose first film on new long term contract will be 'The Key.'



*A Warner Bros. Picture °A First National Picture Vitagraph, Inc., Distributors

Code Boards Confined to Total of 62

(Continued from page 1)

Theatre owners in southern Jersey being served from Philadelphia exchanges will file complaints with the board there. Exhibitors of northern New Jersey will funnel objections to the New York grievance board.

No personnel of any boards will be made known today. If Division Administrator Sol A. Rosenblatt approves some of the approximate 200 recommendations of impartial members by tomorrow, the first group of clearance and zoning and grievance boards will be released then for publication Monday.

More than half of the 62 boards have been tentatively approved by the committee on selections and will be submitted to the authority today for official sanction. J. Robert Rubin will be chairman of the session which will be held at the authority headquarters in the RKO building.

In addition to approval of boards' selection, on the tapis today are recommendations of the vaudeville committee for changes in the code, finances, a report by Executive Secretary John C. Flinn, free radio shows situation, complaints which need immediate attention and the ruling of the NRA legal department on the 10 per cent cancellation clause, which Rosenblatt declared retroactive to Dec. 7, when the code became effective.

Rosenblatt Asks End Of Mayfair Tickets

(Continued from page 1)

cently brought the matter to the attention of the division administrator.

Rosenblatt's answer to Cullman follows: "This is to acknowledge receipt of and thank you for your lettr of Feb. 7 enclosing a sample of the courtesy tickets which are being distributed by the Mayfair Theatre. I am immediately calling this matter to the attention of the Mayfair Theatre and asking their discontinuance of this practice and their compliance with the motnon picture industry code."

Vaude Men Form Ass'n

Unit stage producers and vaudeville producers have formed the Vaudeville Producers' Ass'n., which will act for individual members on proposed changes in the code. Suggestions made by this organization are expected to be taken up by Code Authority at its meeting today at its headquarters in the RKO Building.

May Discuss Scale Today

Division Administrator Sol A. Rosenblatt is expected to confer with representatives of the I. A. T. S. E. and Harry Brandt, president of the I. T. O. A., on setting up a basic wage scale for independent booths.

Assents Now Total 7,477

Thirty-one unqualified assents reached the Code Authority yesterday bringing the former total of 7,446 to 7,477.

K. C. Gathers Evidence for Code Boards

(Continued from page 1)

lowering of announced admission prices through grocery lotteries, throwaway tickets, coupons and similar devices. Neighborhood exhibitors who are up against this competition say they are keeping a record of practices that are obvious code infractions and will present them to constituted code bodies for action.

The practices complained of were intended to be dealt with in rules of fair competition which the suburbans recently decided to formulate, after two or three previous resolves which resulted in failure. Jay Means, president of the Independent Theatre Owners, has just about given up hope that the neighborhoods can get together on a definite plan, and it is highly probable that voluntary efforts will be abandoned as useless in favor of action by the local grievance board.

The contemplated rules of fair competition also were to include cut prices, double bills and giveaways, in an attempt to stabilize admissions. General restriction of these practices to not more than two days a week was, in addition, to serve as a concession to Loew's, of whom the suburbans are demanding a boost in admission prices at the first run Midland.

Carl Laemmle Goes Back to the Coast

Carl Laemmle left for the coast yesterday following three weeks of conferences here on new season production plans and participation in sales meetings. He was accompanied by Max Friedland, general European manager; Mrs. Friedland, Joe Weil and Jack Ross.

A decision on Universal's plans for producing in France will be made following the group's arrival in Hollywood. It was said that in the event the 15 pictures scheduled to go into production in Hollywood within the next few weeks are not adapted to release abroad, 12 continental-productions may be made in Paris.

Carl Laemmle, Jr., will remain in New York for several additional days in order to view current Broadway offerings.

Ulrich Joins Authority

Charles Ulrich, veteran newspaper and publicity man, has joined the Code Authority in charge of reception. Ulrich was a correspondent for newspapers and traveled with President Theodore Roosevelt and at one time was associated with Pathe, PDC and Paramount. During his 10 years with Paramount he has turned out about 1,500 press sheets and is said to be the father of the modern press book.

Seek Code Board Jobs

DES MOINES, Feb. 15.—Leone Matthews and Grace Gannon are active candidates for posts as secretaries of the zoning and clearance and grievance boards.

Agents to Discuss Code's Provisions

(Continued from page 1)

man, Edward Schoeng, Edward Keller, Herman Bernie, Maurice Rose, Max Hart, Louis Shurr, Jack Bertel, Tom Rockwell, Matt Kelly, and three others to be appointed.

The association, which claims a membership of 400, represents legitimate, vaudeville and picture artists. Hayward, Lyons and Grossman represent actors and actresses in Hollywood in addition to the legitimate field.

Admits U. S. Taught British Producers

Admitting that English producers have taken a few lessons from American film makers, Gerald Campbell, British Consul General, yesterday told Ampa members domestic producers have taught his countrymen how to make pictures.

"If American producers hadn't shown British film men how to make pictures, England would not know how," he stated. He also said he was glad to see the response given English product here and added the ideas of American publicity men have been advantageous to companies abroad. He also waxed humorous when he said:

"All films depend on the fact that God made woman and man differently, and how they enjoy the difference!"

Arthur Lyons, president of the National Ass'n. of Theatrical Artists Representatives, declared that the code is one of the finest instruments written and will eliminate a lot of lying and stealing of artists by agents.

Other guests included Reginald P. Baker of Associated Pictures of London, Consuelo Flowerton, actress; Rex Weber, singer.

Court Orders Digest Of Quittner Record

An opinion requiring that the record in the Edward Quittner monopoly suit against major companies be digested preparatory to carrying the case to the U. S. Circuit Court of Appeals was handed down yesterday by Federal Judge Francis G. Caffey. The opinion will permit counsel to consolidate the 7,000 page record to 300 or 400 pages.

Judge Caffey also ruled that Quittner may make application to appeal his case as a pauper in either the District Court or the Circuit Court of Appeals. If the application is granted he may go to the higher court without having the record printed.

Golden Sees Duals' Return in Chicago

Reinstatement of double features in Chicago within the next few weeks is seen by Edward Golden, general sales manager for Monogram. Golden has been leading the fight of independent distributors against the alleged practice of major companies who are said to be rubber stamping contracts so that no two features are shown on the same bill.

Theatres Tell Union No Pact Can Be Signed

(Continued from page 1)

for discharge if they chose not to join the union.

Major L. E. Thompson, of RKO presided at the meeting, which was attended by Charles Moskowitz, Loew's; Charles L. O'Reilly, T. C. C.; Harry Brandt, I. T. O. A.; Jack Bannon, Paramount; George Skouras, Harry Buckley, United Artists, Sam Rinzler, Randforce Circuit, and others.

The meeting took the position that theatres here are doing all that is required of them in living up to code provisions and, in some instances, are paying 40 to 50 per cent more than the minimum wages provided in the code, and employing additional help to care for shorter hours required by the code.

Following the meeting, Levey declared that he disagreed with the theatre operators' interpretation of the National Recovery Act and that he was of the opinion that it permits opening of negotiations for new wage contracts regardless of code provisions.

"The Recovery Act stipulates that employers must deal with the chosen representatives of their employes," Levey said. "It is not for the employers to say who that representative is to be."

Levey declared that he would take the matter to the National Labor Board at Washington in an effort to obtain verification of his opinions. He reported that he was received cordially at the meeting and stated that the likelihood of a strike was "remote."

Unions Attempt to Line Up Re-Winders

(Continued from page 1)

throughout the country is reported under way. New York is believed to be the center of the organizing activities, with the labor representatives convinced that an organization in existence here would give them an advantage in later organizing locals in other cities.

The organizers contend that the rewinder is as important in his sphere as the projectionist is in his and should be paid on the same basis.

Theatre labor organizations queried on the report yesterday disclaimed any knowledge of the organizing activities among re-winders.

Warners Buy Entire Program from Radio

Warners have bought the entire 1934-35 list of Radio, including features, shorts and the Pathe reel, according to Jules Levy, general sales manager. The deal was signed several days ago, but was withheld for the sales meeting at the Park Central.

Levy handled the deal for Radio and Joseph Bernhard and Clayton Bond acted for Warners.

A CLAIM ACCLAIMED!



Everywhere Critics Hail

CATHERINE THE GREAT

SCREEN ACHIEVEMENT
OF 1934

CATHERINE

★ ★ ★ ★

N. Y. DAILY NEWS

"I cannot conceive how any romance could surpass 'Catherine the Great.' It is a work of sheer genius and complete integrity."

Ruth Waterbury
Editor Movie Mirror Magazine

★ ★ ★ ★

"As good a drama as 'The Private Life of Henry VIII' was a comedy. The performance of Elizabeth Bergner is one of real brilliance."

Harrison Carroll
King Feature Syndicate

★ ★ ★ ★

"One of the most beautiful productions in the way of presenting gorgeous sets, colorful costumes and excellent photography that I've seen."

Walter Ramsey
Modern Screen Magazine

★ ★ ★ ★

"A very fine picture — only one fault — we wanted to see Catherine go on and on!"

Grace Kingsley
Los Angeles Times

★ ★ ★ ★

"A classic bell-ringer! Audiences all over the world will revel in the spectacle as the finest sort of screen entertainment."

Wallace Rawles
International News

★ ★ ★ ★

"A great picture. Elizabeth Bergner as Catherine is superb. The picture looks like another box office smash for United Artists."

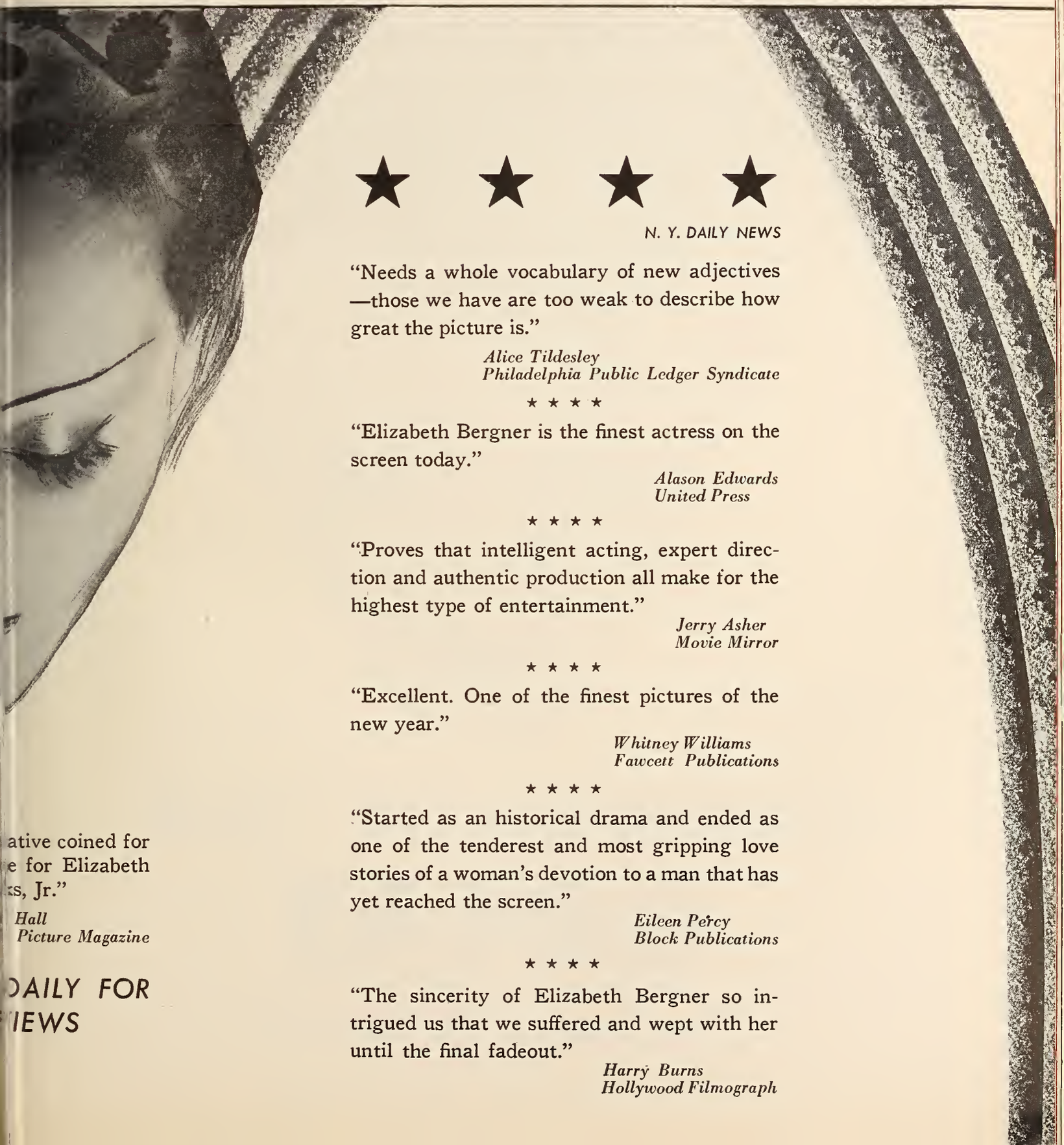
Warren Stokes
Associated Publications

"There should be
this masterpiece
Bergner and Dou

SEE TODAY
NEW Y



HE GREAT



★ ★ ★ ★

N. Y. DAILY NEWS

"Needs a whole vocabulary of new adjectives —those we have are too weak to describe how great the picture is."

Alice Tildesley
Philadelphia Public Ledger Syndicate

★ ★ ★ ★

"Elizabeth Bergner is the finest actress on the screen today."

Alason Edwards
United Press

★ ★ ★ ★

"Proves that intelligent acting, expert direction and authentic production all make for the highest type of entertainment."

Jerry Asher
Movie Mirror

★ ★ ★ ★

"Excellent. One of the finest pictures of the new year."

Whitney Williams
Fawcett Publications

★ ★ ★ ★

"Started as an historical drama and ended as one of the tenderest and most gripping love stories of a woman's devotion to a man that has yet reached the screen."

Eileen Percy
Block Publications

★ ★ ★ ★

"The sincerity of Elizabeth Bergner so intrigued us that we suffered and wept with her until the final fadeout."

Harry Burns
Hollywood Filmograph

ative coined for
e for Elizabeth
ks, Jr."

Hall
Picture Magazine

DAILY FOR
IEWS


The WORLD SALUTES ALEXANDER KORDA
OWN SUCCESSOR TO HENRY THE VII
LONDON FILMS
Productions, Ltd.
presents
Directed by
PAUL CZINNER
CATHERINE THE
GREAT
with
DOUGLAS FAIRBANKS, Jr.
and
ELIZABETH BERGNER
Released thru UNITED ARTISTS

McDonough And Depinet To Move Up

(*Continued from page 1*)

who recently resigned as vice-president in charge of production has been induced to change his mind and will remain in this capacity, assuming active duty after a brief vacation in Honolulu. Pandro Berman, who has been executive assistant to Cooper, will become an executive producer in charge of his own unit.

Aylesworth asserted McDonough is changing the form of the operating organization so that executive activities may be co-ordinated in Hollywood. He further stated officials and directorate were proud of the record made by Radio pictures in 1933 and were unanimous in their approval of the program for the new season.

Fox Midwest-Para. Deal Is About Set

(*Continued from page 1*)

place Fox in a position of dominance in both towns, is virtually set.

The Grubels are losers to the extent of almost $3,000,000 by the recent decision of the U. S. Supreme Court holding future rent claims against a bankrupt not provable. The claims were against Publix Enterprises, involving long-term leases on the houses to be taken over by Fox and the Electric, Kansas City, Kan. Additional claims against Publix are pending for two or three months' rent last due, said Grubel.

Relinquishing these houses, Publix will now out of this territory with the exception of Kansas City theatres and base interests in St. Joseph, Mo., properties operated by Dubinsky Bros.

New Fox Met. Plan Ready Any Day Now

(*Continued from page 1*)

filed yesterday to Judge Julian Mack of the U. S. District Court. The receivership was extended yesterday for another six months unless sooner terminated by the court. Simon Fabian and Irving Trust Co. are the co-receivers.

On the reorganization committee are: Niver and Alvin Schlosser of Halsey, Stuart & Co., William M. Greve of the Prudence Co., Max Hortz of Hallgarten & Co., and M. Dickson of Graham and Parson. The name will be changed when the new setup is completed.

AWC Referee Makes Decision Upon Fees

LOS ANGELES, Feb. 15.—Decision was made today by Referee S. W. Dunnabb on trustees' and counsel's fees in the Fox West Coast receivership. Each trustee was allowed $14,190 on account against a fee of $500 a week for the three of them since July 29. Attorneys were allowed $43,000 on account against $2,500 weekly during the same period. Although unsatisfactory to them, the recipients will accept the decision. Further settlement may be made later.

State Court Hears Plea on Para. Suit

The appellate division of the N. Y. Supreme Court yesterday took under advisement an appeal by Robert F. Levy, Paramount Publix bondholder, which seeks authorization to bring suit against Paramount Publix, Film Productions Corp., Chase National Bank and others in connection with the 1932 transfer to Film Productions Corp. of title to Paramount negatives. A lower court held last summer that suit could not be brought against the defendants named. A ruling from the higher court is expected in about three weeks.

Samuel Zirn, counsel for Levy, described yesterday's action as "purely a preliminary technicality in an action to nullify the Film Productions transaction." The Chase Bank was trustee under a bond indenture involved.

Blank Named Fourth Advisory Board Man

DES MOINES, Feb. 15.—A. H. Blank, Paramount theatre partner here, was elected as the fourth member of the national Paramount theatre advisory committee at a meeting of western partners of the company in session here today.

Blank joins E. V. Richards, N. L. Nathanson and Karl Hoblitzelle on the national advisory committee which, when completed, will have a representative from both the middle west and New England territories. Meetings to elect the final two representatives will be held within the next few weeks.

File P-P Equity Briefs

Final briefs in connection with the payment of allowances aggregating $240,000 for the Paramount Publix equity receivership administration were filed yesterday by attorneys opposing the petition for payment. Federal Judge John Woolsey accepted the briefs and is expected to render his ruling on the amount of payments to be allowed in about one month.

Publix to Duals in K. C.

KANSAS CITY, Mo., Feb. 15.—With the aim of forcing the issue on price cutting, double bills and giveaways, Sam Dembow announced here today the Publix Newman, downtown first-run, will go on a policy of double bills at 25 cents at all times beginning Feb. 23. Dembow left by plane tonight for Chicago with Ralph Libeau, Paramount district manager.

Adding Two Exploiteers

Columbia will increase its out-of-town exploitation force working on "It Happened One Night" from eight to 10. Two men are to be added to cover Cincinnati and Indianapolis playdates. The home office staff will handle the Music Hall showing, starting next Thursday.

Cameo Deal Up Today

Harry Shiffman and Jack Shapiro are expected to sign contracts with RKO today to acquire the Cameo. Shiffman and Shapiro have been operating the house for the past three weeks under a verbal agreement. George Trilling is managing for the independents.

Theatre Deals Come Up in Rembusch Suit

Historical details of theatre acquisitions by Paramount and Fox, and the acquisition of First National by Warners comprised the bulk of testimony given yesterday in the trial of the Frank Rembusch anti-trust suit against major companies and the M. P. P. D. A., now in progress before Federal Judge Alfred M. Coxe.

On the witness stand yesterday were Leon Netter, Paramount; Harold S. Bareford, Warners; E. C. Grainger, Fox, and Elek J. Ludvig, former Paramount general counsel. The spotlight was also thrown on franchise agreements during the day. The trial will be resumed today.

Bowers Begins Series With Lowell Thomas

Charley Bowers of Bowers Prod. is engaged with Harold Muller, his chief cameraman, on the production of the first of a series of comedies with Lowell Thomas. An improved photographic process of his own is being used by Bowers in the filming of these shorts. Material for the series will be taken from Thomas' own "Tall Stories."

Nudist Film Suit Off

Trial of a suit seeking an accounting of profits on "This Nude World," which was scheduled for yesterday in Supreme Court at Mineola, L. I., was postponed until today. The suit was brought by Mike Mindlin, producer of the picture, against Herman Robbins, Toby Gruen and George Dembow, with whom, the suit alleges, Mindlin had a contract involving financing.

Loew Back in New York

Arthur and Mrs. Loew and Joe and Mrs. Vogel arrived by plane from San Francisco last night and were met at the Newark Airport by David Loew, Mort Spring, Dave Blum, Louis K. Sidney and Oscar Doob. Loew will remain in New York three weeks and then leaves for Europe.

Moritz Heads Cincy Club

CINCINNATI, Feb. 15.—Allan Moritz, manager Columbia, has been elected president of the Cincinnati Variety Club, succeeding Bill Gehring, who goes to Chicago. Manny Shure and Marc Wolf remain as vice-presidents of the club.

Chalus Off Tomorrow

Andre Chalus, directing head of Film Union, S. A., distributors of Radio pictures in France, Belgium and Switzerland, who has been in this country conferring with Radio officials, sails for home tomorrow.

Des Moines Spot Pulls

DES MOINES, Feb. 15.—The Varsity, a new modern suburban house, opened here New Year's Day by G. C. Mullenix, is proving a success.

Schell Goes to Ambridge

AMBRIDGE, Pa., Feb. 15.—Bill Schell, for some time manager of Warners' Kenyon in Pittsburgh, has been transferred here as manager of the Ambridge.

Ben Kalmenson Gets Warner Theatre Job

PITTSBURGH, Feb. 15.—Ben Kalmenson, manager of the Warner-First National exchange, has just been appointed to the Warner theatre department in charge of booking and film buying. Kalmenson succeeds Frank Damis, who was recently transferred to the New Jersey district as assistant to zone manager.

Kalmenson is scheduled to take over his new duties Monday, at which time his successor in the exchange will be named.

NEWARK, Feb. 15.—Don Jacocks has made several changes in his staff of Warner theatre men. Dick Hill, formerly assistant zone manager, has succeeded Cameron Dooley as district manager and Dooley now becomes manager of the Fabian. Frank Damis, who is being switched from Pittsburgh, will take Hill's former post.

WASHINGTON, Feb. 15.—Charles Rich, local Warner salesman, succeeds Ben Kalmenson as branch manager in Pittsburgh.

Electrics Silent on New Anti-Trust Suit

Legal representative of Erpi and Western Electric declined to comment yesterday on anti-trust actions asking triple damages of $3,405,000 filed in Federal Court here this week by the Theatre Electrical Service and the Ninth Ave. Amusement Co., naming them defendants with A. T. & T. The legal spokesmen explained that they had not had an opportunity to examine the complaints yet. Indications are that a general denial will be entered by the defendants.

Iowa Showmen Fight Proposed State Tax

DES MOINES, Feb. 15.—Iowa exhibitors gathered here yesterday to protest against the proposed 2½ per cent admission tax pending in the State Legislature.

Lester F. Martin, Allied secretary, was one of the leaders in the movement.

Rochester Greets Troupe

ROCHESTER, Feb. 15.—The "Moulin Rouge" caravan arrived here on Ash Wednesday, but it made little difference. Loew's broke a house record, according to Lester Pollock, manager. The *Times-Union* sent reporters and photographers 15 miles outside of town to meet the visitors in order to catch the night edition. City officials were hosts to the visitors at a dinner at the Sagamore. The party leaves for Buffalo today.

May Join the Post

Irene Thirer, former picture critic of the *Daily News*, may join the *Evening Post* in a similar capacity. Thornton Delehanty now fills the post.

The arrangement is said to be contingent upon a deal for Julius Cohen, now on the *Journal of Commerce*, to take over film advertising on the *Post*. If he so decides, Miss Thirer will be the critic.

P. P. Meet Off to Mar. 1

A meeting of Paramount Publix creditors scheduled for yesterday was postponed to March 1.

new "DEVIL TIGER" SETS RIALTO RECORD!!!!

SHIVERING! BUT PATIENT



TIMES SQUARE THEATRE-FRONT BECOMES A JUNGLE

Box office lines brave New York's zero gales (see cut). Coldest weather in 16 years! Extra cops to handle pushing crowds. Capacity business from early morning to late at night. Thanks to showmanship...and a box office smash.

READ the details of this great campaign. Stunts that can be used in *your town*. It's all in the "Devil Tiger" pressbook and supplement. Demand it from your FOX exchange

DEVIL TIGER

Asia's Fiercest Jungle Beasts Clash in Mortal Combat

Directed by **CLYDE E. ELLIOTT**
director of **"BRING 'EM BACK ALIVE"**

Story by James O. Spearing *Edited by Truman Talley*

—AND THREE MORE FOX PICTURES OF THE SAME BOX OFFICE STRIPE...

ONE GIRL against four woman-haters . . . *and they love it!*



Color . . . life . . . music . . . romance . . . and laugh after resounding laugh.

EVER SINCE EVE

GEORGE O'BRIEN
MARY BRIAN
HERBERT MUNDIN

From "The Heir to the Hoorah" by Paul Armstrong
Stage play produced by Kirke LaShelle

A Glamorous New Personality
brings the screen a new thrill.



Your audiences will welcome her dramatic brilliance . . . as a girl who *knew* the right men . . . but *trusted* the wrong ones.

I BELIEVED IN YOU

ROSEMARY AMES
JOHN BOLES • VICTOR JORY

Directed by
Irving Cummings

FOX

Teamed again . . .
in a whirl of love and laughter



The sweethearts of "Jimmy and Sally" . . . in the lightning-fast adventures of a live-wire girl reporter.

HOLD THAT GIRL!

JAMES DUNN
CLAIRE TREVOR

Directed by Hamilton MacFadden

Smith Named Head of Ohio Independents

COLUMBUS, Feb. 15.—The Independent Theatre Owners of Ohio perfected its organization at a meeting today at the Deshler-Wallick Hotel here with the election of officers.

Martin G. Smith, Toledo, was named president; Elmer Shard, Cincinnati, first vice-president; Sam Lind, Zanesville, second vice-president; M. B. Horwitz, Cleveland, treasurer; Pete Wood, secretary and business manager. Named as directors were Henry Greenberger and John D. Kalafat, Cleveland; Willis Vance and Frank W. Huss, Cincinnati; Max Stern and J. Real Neth, Columbus; Robert Menches, Akron; Nat Charnas, Toledo; John Schwalm, Hamilton; L. F. Eick, Martin's Ferry; Henry Bieberson, Delaware; Earl Myers, Chillicothe, and Paul Ellis, Warren.

Headquarters will be maintained permanently in Cleveland and Cincinnati, with a temporary office in Columbus when the Legislature is in session.

Some 100 exhibitors were present. These represented approximately 250 theatres, practically all enrolled. Every independent in the state is eligible, with producer-controlled and circuit-affiliated houses excluded. The prime purpose of the organization is to fight the present admission tax and secure a square deal for its members under the code.

The Cleveland M. P. Exhibitors Ass'n. and the Ohio Valley Independent Exhibitors' League, which are parties to the new organization, will continue to function as heretofore.

Dues of $25 for houses up to 500 seats were decided upon with seven and a half cents per seat for houses of 500 to 1,000 seating capacity and 10 cents per seat for those seating more than 1,000. Dues are payable semi-annually in advance.

Horwitz, who was Cleveland delegate to the code meetings in Washington, discussed the good and bad features of the code from the point of view of the independent. He said 80 per cent of Cleveland's independents had refrained from signing the code because they believed it "incomplete" and were waiting to see what changes, if any, would be made by the Code Authority.

DuWorld, Judell in Deal

DuWorld Pictures, Inc., have contracted with B. N. Judell of Chicago for distribution of "Dawn to Dawn" in Illinois, Indiana and Wisconsin.

Va. Sunday Bill Loses

RICHMOND, Feb. 15.—Sunday theatre openings have been defeated again by a vote of 62-28 in the House.

Amity Pictures Moves

Amity Pictures has moved into larger quarters in the Godfrey Building at 729 7th Ave.

M-G-M Signs Lederer

HOLLYWOOD, Feb. 15.—Charles Lederer has been signed to a writing contract by Irving Thalberg at M-G-M.

Philadelphia Cut Rates Cause Worry

(*Continued from page* 1)

with a "pit," throwing open large portions of the orchestra, balcony and gallery on an unreserved seat basis at half-price. Box-office scales at both theatres range from 25c to $2, with the bulk of the seats under one dollar. "Among Those Sailing," "By Your Leave," "Her Majesty, the Widow" and "Dangerous Corner" have played at these houses to large crowds, grossing between $5,000 to $8,000, which means plenty of profit.

Before these shows clicked at the Erlanger, the house was rumored for pictures as an inde outlet, with Majestic mentioned as being interested. Nirdlinger, however, has decided to run through the season with legit shows, having several bookings to draw from.

F. & M. Line Up Product

ST. LOUIS, Feb. 15.—The recently formed Eden Theatre Co., operating subsidiary for Fanchon & Marco, have signed film contracts for the Fox and St. Louis said to involve upwards of $100,000.

First of the series is "Carolina," current attraction at the Fox, and "The Ninth Guest" and "The Song You Gave Me" at the St. Louis.

Film K. C. Polling

Kansas City, Feb. 15.—Motion picture cameras were brought into play in Kansas City's municipal election registration. Members of the National Youth Movement, a reform organization owning cameras, stationed themselves at the polls to obtain visible records of the "ghost vote" or registration repeaters, as well as make records of any rough action at registration places. This vigilance will be repeated at the spring elections.

Academy Invites 20 For Shorts Awards

HOLLYWOOD, Feb. 15.—More than 20 short subjects producers have been invited to submit their releases between Aug. 1, 1932, and Dec. 31, 1933, for consideration of the Awards Committee of the Academy.

This will be the second short subjects award and will be made at the annual banquet March 16. The first screening for nominations will be on Feb. 22. Fifteen members of the Academy, including actors, directors, technicians, writers and producers, will be represented.

Behind the Make-Up

By F. J. NEIDIG

LILYAN TASHMAN, who recently finished an important role in Norma Shearer's latest, "Lady Mary's Lover," is here for a co-starring role in "Frankie and Johnny" to be produced and directed by Chester Erskine for All Star Prod. at Biograph.

•

All Star Prod. announce engagement of Walter Kingsford, well-known legitimate and light comedy star; for one of the important roles in the picture.

•

Kingsford, currently appearing as one of the principal players in "The Pursuit of Happiness," has toured with Jane Cowl in "Twelfth Night," "Art and Mrs. Bottle" and "Camille." He played the lead in Lord Dunsany's "If" and soon after coming to this country from England made a national reputation with his work in support of Ethel Barrymore, John Drew and Mrs. Minnie Maddern Fiske. This will be his first appearance in pictures.

•

Al Christie has completed a semi-musical comedy for Educational at the Eastern Service Studio in Astoria. Bob Hope of "Roberta" and Leah Ray were starred with the supporting cast including Jules Epailly, Francis Halliday and Vicki Cummings. The story was written by Art Jarrett and William Watson with photography by George Weber and Sol Midwall and Bill Kelly. Fred Scheld and Warren Murray assisted in direction with Phil Cohen handling the music. This is Hope's first of a series for Educational. Miss Ray's first appearance in pictures was in Maurice Chevalier's "A Bedtime Story," in which she sang "Look What I've Got."

B. A. Rolfe and his orchestra appear in "A Jolly Good Fellow" under direction of Joseph Henabery at Vitaphone. The supporting cast included Beverly Phalon, Dolly Arden, Sally Woodall and the quartette, Men About Town.

•

Another Ben Blue comedy was recently completed at Vitaphone under direction of Ralph Staub. The supporting cast included Cora Witherspoon, Hugh Cameron, Vicki Cummings and Herb Warren. The cameras were handled by Ed DuPar and Ray Foster with the story written by Jack Henley and Dolph Singer. Jack Henley apparently does not suffer from writer's cramp as this is his 170th story in 23 months.

•

Cora Witherspoon did some heavy commuting while working in this picture as she is also appearing in "Mackerel Skies" on Broadway. That's one way to keep an actress' daylight hours from growing dull.

•

Roy Mack is directing another Broadway Brevity comedy starring Gertrude Niesen at the same plant. The cast included Roscoe Ails, Weldon Heyburn, The Randalls (a dance trio) and Vitaphone's own chorus. The story was written by Cy Woods and Eddie Moran and the cameras were handled by Ed DuPar and Ray Foster and their assistants Sam Marino and Ray Smith.

•

Walter Strenge and Bill Kelly expect to leave this week to shoot the winter games at Dartmouth for M-G-M.

"Fashions" Is Boston High, With a Revue

BOSTON, Feb. 15.—Grosses showed a little improvement this week over the preceding week, but were still below those of recent weeks. Extreme cold weather caused some of the drop.

The Metropolitan, with "Fashions of 1934" and Lew Leslie's Blackbirds of 1934, pulled $34,000, over par by $6,000. "Meanest Gal in Town" at RKO Boston, where three stars were billed in personal appearances, was good for $19,000, up by $3,000. RKO Keith's with "Hips, Hips, Hooray," and "This Side of Heaven" at Loew's State were well over average.

Total first run business was $107,000. Average is $95,000.

Estimated takings for the week ending Feb. 8:

"THE MEANEST GAL IN TOWN" (Radio)

BOSTON—(2,900), 25c-50c, 7 days. Stage: Benny Rubin, Fifi D'Orsay, Reggie Childs. **Gross:** $19,000. (Average, $16,000.)

"FOUR FRIGHTENED PEOPLE" (Para.) "EASY TO LOVE" (Warners)

FENWAY—(1,800), 30c-50c, 7 days. **Gross:** $8,500. (Average, $9,000.)

"HIPS, HIPS, HOORAY" (Radio)

KEITH'S—(3,500), 30c-50c, 7 days. **Gross:** $18,500. (Average, $16,000.)

"THIS SIDE OF HEAVEN" (M-G-M)

LOEW'S STATE—(3,700), 35c-50c, 7 days. Vaude. **Gross:** $18,000. (Average, $16,000.)

"FASHIONS OF 1934" (Warners)

METROPOLITAN—(4,350), 30c-65c, 7 days. Stage: Blackbirds of 1934 and Lew Leslie. **Gross:** $34,000. (Average, $28,000.)

"FOUR FRIGHTENED PEOPLE" (Para.) "EASY TO LOVE" (Warners)

PARAMOUNT—(1,800), 30c-50c, 7 days. **Gross:** $9,000. (Average, $9,000.)

New Theatre Opens At Asheville, N. C.

ASHEVILLE, Feb. 15.—The State, a new house, was opened in Asheville this week, offering "Moonlight and Pretzels" as the initial attraction. Present for the opening were: Sam W. Craver of Charlotte, president of C. L. & W. Theatres, Inc.; T. A. Little of Raleigh, and H. B. Wynne of Greenville, S. C.

Chester R. Glenn of Asheville is manager with an all-Asheville staff of employes. Remodeled at a cost of $25,000, the State will show second runs at popular prices.

Griffiths Coming East

HOLLYWOOD, Feb. 15.—Raymond Griffith, accompanied by Mrs. Griffith, will leave Hollywood tomorrow for New York. The associate producer will spend a week on Broadway looking for story material for 20th Century and then will sail on the *Majestic* for London on an eight weeks' pleasure trip.

Takes Louisville House

CANTON, O., Feb. 15.—W. A. Smith has taken a four-year lease on the Owen at Louisville, from Harold Sherer, and is operating it seven days a week, with four program changes weekly.

Dorothy Lee Is Ill

HOLLYWOOD, Feb. 15.—Dorothy Lee is confined to her home with a throat infection which may prevent her scheduled personal appearances in Denver the latter part of February.

"Nana" Piles Up $103,000 At Music Hall

Anna Sten in "Nana" went over with a bang in its first week at the Music Hall. The take reached $103,000, not a record, but high enough to keep lines running half way to 5th Ave. most of the week. Even during the record cold on opening day the lines were five deep.

The cold wave hit business in most Broadway houses. The Capitol, with "You Can't Buy Everything" on the screen and May Robson on the stage, was down to $15,500.

"All of Me" at the Paramount with Milton Berle in the stage show and Rubinoff in the pit was pretty good at $34,000, and the Roxy had $24,000 with "I've Got Your Number."

"Hi, Nellie" got off to a fine start with $23,686 at the Strand.

Estimated takings:

Week Ending Feb. 6:

"GALLANT LADY" (U. A.)

RIVOLI—(2,200), 35c-99c, 3rd week, 4 days. **Gross:** $8,300.

Week Ending Feb. 7:

"THE GHOUL" (Gaumont British)
"ROSS-PETROLLE FIGHT" (Garden Films)

RIALTO—(2,200), 25c-65c, 2nd week, 5 days. **Gross:** $8,000.

"NANA" (U. A.)

RKO MUSIC HALL—(5,945), 35c-$1.65, 7 days. Music Hall Revue. **Gross:** $103,000.

Week Ending Feb. 8:

"YOU CAN'T BUY EVERYTHING" (M-G-M)

CAPITOL—(4,700), 35c-$1.65, 7 days. Stage: May Robson and others. **Gross:** $15,500.

"FASHIONS OF 1934" (Warners)

HOLLYWOOD—(1,545), 25c-85c, 3rd week, 3 days. **Gross:** $3,800.

"FRONTIER MARSHAL" (Fox)

MAYFAIR—(2,300), 35c-85c, 2nd week, 2½ days. **Gross:** $2,600.

"I AM SUZANNE!" (Fox)

PALACE—(2,500), 25c-75c, 7 days. Stage show. **Gross:** $10,400.

"ALL OF ME" (Para.)

PARAMOUNT—(3,700), 35c-99c, 7 days. Stage: Milton Berle, Dave Rubinoff, and others. **Gross:** $34,000.

"I'VE GOT YOUR NUMBER" (Warners)

ROXY—(6,200), 25c-65c, 7 days. Stage show. **Gross:** $24,000.

"HI, NELLIE" (Warners)

STRAND—(2,000), 25c-$1.10, 7 days. **Gross:** $23,686.

Week Ending Feb. 9:

"MAN OF TWO WORLDS" (Radio) —4 days
"CROSS COUNTRY CRUISE" (Univ.) —3 days

RKO CENTER—(3,700), 25c-55c, 7 days. **Gross:** $11,000.

Week Ending Feb. 12:

"QUEEN CHRISTINA" (M-G-M)

ASTOR—(1,012), 55c-$2.20, 7th week, 8 days. **Gross:** $10,000.

"Women" Montreal Lead in Icy Week

MONTREAL, Feb. 15.—Weather that was bitterly cold, even to local inhabitants, cut into theatre patronage. It would have been a great week for television.

Generally speaking, Loew's led the way with $11,500 on "The Women in his Life" and a stage show. A return engagement of "Dinner at Eight" brought $10,500 to the Capitol, while the Palace was at $8,500 for "Sons of the Desert" and "Sweetheart of Sigma Chi." The second week of "Gallant Lady" at the Princess grossed $5,000.

Total first run business was $37,000. Average is $38,500.

Estimated takings for the week ending Feb. 10:

"DINNER AT EIGHT" (M-G-M)

CAPITOL—(2,547), 25c-35c-50c-60c-75c, 7 days. **Gross:** $10,500. (Average, $9,000.)

"FANNY" (French)

IMPERIAL—(1,914), 25c-35c-40c-50c, 7 days. 3rd week. **Gross:** $1,500. (Average, $2,000.)

"THE WOMEN IN HIS LIFE" (M-G-M)

LOEW'S—(3,115), 25c-35c-50c-65c-75c, 7 days. Stage: "By a Garden Wall Idea": Cass, Mack & Owen; Colby & Murray; Joe, May & Dotty; Ferry, the Frog Man; 12 Canadian Rockets. **Gross:** $11,500. (Average, $10,500.)

"SONS OF THE DESERT" (M-G-M)
"SWEETHEART OF SIGMA CHI" (Monogram)

PALACE—(2,600), 25c-35c-50c-60c-75c, 7 days. **Gross:** $8,500. (Average, $11,000.)

"GALLANT LADY" (U. A.)
"GIRL WITHOUT A ROOM" (Para.)

PRINCESS—(2,272), 25c-35c-50c-65c, 7 days, 2nd week. **Gross:** $5,000. (Average, $6,000.)

Looking 'Em Over

"The Big Race"

(Showmen's Pictures)

"The Big Race" is an average story of the racetrack soaked with the atmosphere of the paddocks. The film reaches its big climax in a race that has been filmed with considerable excitement.

John Darrow is turned out by his father in the belief he has been responsible for doping a horse in the parent's stable in order that he might win a bet placed on a rival entry in a race. Even his fiancée (Boots Mallory) would have nothing more to do with him. Set on proving his innocence, the young man acquires a horse of his own and grooms him for entry in the big race of the year. He is driven frantic trying to raise money for the entry fee. Without his knowledge the dough is put up by his girl after she realizes she has been mistaken about him. As per expectation, Darrow's horse is the winner. Only in this case victory is carried off when another horse, coming in first by fouling Darrow's entry, is disqualified. As per expectation also, the two lovers are in each other's arms at the end, with dad beaming his approval. It must be explained that the doping was done by an employe of Darrow's father.

Frankie Darro, Phillips Smalley and Katherine Williams are other players. The director is Fred Newmeyer.

"Bolero," today's opener at the Paramount, was reviewed by wire from Hollywood on Feb. 8.

"Long Lost Father," today's opener at the Roxy, was reviewed from Hollywood Jan. 11.

"The Cat and the Fiddle," today's opener at the Capitol, was reviewed yesterday.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Gambling Lady"

(Warners)

HOLLYWOOD, Feb. 15.—Novel and interesting is the colorful leading character of "Gambling Lady." Instead of fighting the gambling syndicate as her dead father did, this gambling gal decides to string along working for them, but on her own terms.

Although knowing all the devious angles of the sucker racket and how the syndicate controls the play, they agree to permit her to deal on the level.

Jailed in a gambling raid which she believes was pulled by a tip from her boy friend, Joel McCrea, bailed out by Pat O'Brien, a bookie pal, she falls for McCrea after he explains his stupidity. Barbara Stanwyck's romance with McCrea, her conflict with Claire Dodd, Joel's former flame, her separation from McCrea, her loyalty to O'Brien and his bump-off and her reconciliation with McCrea reflect the dramatic structure.

Doris Malloy, author of the story, is said to be the daughter of a gambler. The dialogue is bright, knowing and wise.

Miss Stanwyck's cutting high card with Joel's father, Aubrey Smith, for his okay to marry Joel, and her winning all of Miss Dodd's jewels in a feminine game of twenty-one, are highlights of unique interest.

"Gambling Lady" is a swell role for Miss Stanwyck. The love scenes with McCrea are in for feminine trade. O'Brien is good as the sacrificial lover. The production is satisfactory entertainment.

Literary Classics On New M-G-M List

HOLLYWOOD, Feb. 15.—M-G-M currently leads the field in story purchases with 10 literary works recently added. These include:

Dickens' "David Copperfield," to be produced by David O. Selznick; Kipling's "Kim" and "Captains Courageous"; "Nancy Stair," a novel by Elinor MacCartney"; "The Thin Man," a mystery by Dashiell Hammett; "Calm Yourself," by Edwin Hope; "What Every Woman Knows," stage hit by Sir James Barrie; "Ah, Wilderness," Eugene O'Neill's theatre success; "Declasse," by Zoe Akins, and "All Good Americans," by Laura and S. J. Perleman.

"Express" and Show $10,500 In Pittsburgh

PITTSBURGH, Feb. 15.—There were few complaints here last week, every house in town with the exception of two hitting par or better. In at least a couple of cases, average grosses were almost doubled.

Topping everything by a wide margin, was the Pitt where a combination of "Orient Express" and the Rae Samuels unit, "Cocktail Hour," accounted for $10,500, with most of the credit going to the stage attraction. The Fulton, too, swung into high gear with "Carolina," getting around $7,700 and enabling the Janet Gaynor picture to hold over for a second week.

The Stanley started off well with "Fashions of 1934," but slipped off near the close with the arrival of a cold wave and wound up with $9,700. "Three-cornered Moon" gave the Davis its best business in some time, holding over for an extra two days and collecting $3,200 on the extended engagement.

The lone disappointment was the Penn, where "Miss Fane's Baby Is Stolen" couldn't get started at all and limped along all week to a $7,000.

Total grosses in six first runs were $44,000. Average is $38,500.

Estimated takings for the week ending Feb. 10:

"THREE-CORNERED MOON" (Para.)

DAVIS—(1,700), 25c-35c, 8 days. **Gross:** 3,200. (Average for six days, $2,500)

"CAROLINA" (Fox)

FULTON—(1,750), 15c-40c, 6 days. **Gross:** $7,700. (Average, $4,000)

"MISS FANE'S BABY IS STOLEN" (Para.)

PENN—(3,300), 25c-50c, 6 days. **Gross:** $7,000. (Average, $12,000)

"ORIENT EXPRESS" (Fox)

PITT—(1,600), 15c-40c, 6 days. Stage: "Cocktail Hour" with Rae Samuels, Kitty Doner, Harmony Co-Eds, Olyn Landick, Billie Lee and Eleanor Whitney. **Gross:** $10,500. (Average, $6,000)

"FASHIONS OF 1934" (Warners)

STANLEY—(3,600), 25c-50c, 6 days. **Gross:** $9,700. (Average, $9,000)

"DARK HAZARD" (Warners)

WARNER—(2,000), 25c-50c, 6 days. **Gross:** $4,900. (Average, $5,000)

"Carolina" $6,500 Draw in Oklahoma

OKLAHOMA CITY, Feb. 15.—"Carolina" took top honors here last week with a gross of $6,500, over par by $2,500, at the Midwest.

"The Private Life of Henry VIII," at $7,000, was $2,000 over average at the Criterion.

Presence of the Oklahoma Educational Ass'n. was a big help to grosses.

The "B" houses also got a break.

Total first run take was $19,100. Average is $13,500.

Estimated takings for the week ending Feb. 10:

"PRIVATE LIFE OF HENRY VIII" (U. A.)

CRITERION—(1,700), 10c-20c-26c-36c-41c-56c, 7 days. **Gross:** $7,000. (Average, $5,000)

"CAROLINA" (Fox)

MIDWEST—(1,500), 10c-26c-36c-56c, 7 days. **Gross:** $6,500. (Average, $4,000)

"CONVENTION CITY" (F. N.)

CAPITOL—(1,200), 10c-20c-26c-36c-41c, 7 days. **Gross:** $3,500. (Average, $2,500)

"BLOOD MONEY" (U. A.)

LIBERTY—(1,500), 10c-15c-26c-36c. 3 days. **Gross:** $1,200. (Average week, $2,000)

"BEDSIDE" (F. N.)

LIBERTY—(1,500), 10c-15c-26c-36c, 4 days. **Gross:** $900. (Average week, $2,000)

THERE IS ONLY **ONE**

FRANK BUCK



NATURE SAVES HER BIGGEST THRILLS FOR HIM

★

"BRING-'EM-BACK-ALIVE"

FRANK BUCK'S

"WILD CARGO"

IS COMING SOON!

DIRECTED BY ARMAND DENIS

VAN BEUREN PRODUCTION .. RKO RADIO PICTURE

EASTER WEEK

HEPBURN "SPITFIRE"

"Nana" Loop Smash; Gets $26,000 Take

CHICAGO, Feb. 15.—"Nana" with the new star Anna Sten hung up a sensational take of $26,000 in its first week at the United Artists and created a big splash in the Loop. At that figure "Nana" is top for the house this year, since it passes by some $500 the opening week of "Roman Scandals."

Hitting at the same pace in the larger Oriental across the street is "Queen Christina," which also hung up a fine $26,000. The Garbo versus Sten situation is creating an interesting setup with plenty of speculation on which is going to come out on top in the second week's run.

RKO'S Palace was strong at $22,500 with "Man of Two Worlds" on the screen and Anatole Friedland's "Fifty Million Frenchmen" on the stage. "Madame Spy" gave way after five days of sagging grosses at McVickers, while "Dinner at Eight" rounded out a seven-week Loop run at the Roosevelt with $7,500.

Total first run business was $139,000. Average is $137,000.

Estimated takings:

Week Ending Feb. 7:

"NANA" (U. A.)

UNITED ARTISTS—(1,700), 30c-40c-60c, 7 days. **Gross:** $26,000. (Average, $17,000)

Week Ending Feb. 8:

"THIS SIDE OF HEAVEN" (M-G-M)

CHICAGO—(4,000), 35c-50c-68c, 7 days. Ted Lewis show on stage. **Gross:** $35,000. (Average, $34,600)

"MAN OF TWO WORLDS" (Radio)

PALACE—(2,509), 35c-50c-75c, 7 days. Anatole Friedland's "Fifty Million Frenchmen" on stage. **Gross:** $22,500. (Average, $22,000)

Week Ending Feb. 9:

"MADAME SPY" (Univ.)

McVICKERS—(2,284), 30c-40c-60c, 7 days. **Gross:** $6,000. (Average, $13,000)

"QUEEN CHRISTINA" (M-G-M)

ORIENTAL—(3,940), 30c-40c-60c, 7 days. **Gross:** $26,000. (Average, $23,000)

"DINNER AT EIGHT" (M-G-M)
(Fourth Loop Week)

ROOSEVELT—(1,591), 25c-35c-50c, 7 days. **Gross:** $7,500. (Average, $11,000)

Week Ending Feb. 10:

"JIMMY AND SALLY" (Fox)

STATE-LAKE—(2,776), 20c-25c-35c, 7 days. Francis White and Eddie Lambert heading vaudeville bill. **Gross:** $16,000. (Average, $17,000)

"Carolina" Pulls $7,500, Omaha Top

OMAHA, Feb. 15.—Grosses stayed pretty even last week, with "Carolina" at the Paramount hitting a par at $7,500. Other houses dipped slightly below average.

"I Am Suzanne" and "Madam Spy" at the Orpheum brought $7,000.

Total first run business was $23,250. Average is $24,250.

Estimated takings:

Week Ending Feb. 7:

"CAROLINA" (Fox)

ORPHEUM—(2,900), 25c-35c-40c, 7 days. **Gross:** $7,500. (Average, $7,500)

Week Ending Feb. 8:

"ROMAN SCANDALS" (U. A.)

WORLD—(2,200), 25c-35c-40c, 7 days, 2nd week. **Gross:** $4,500. (Average, $5,000)

"CONVENTION CITY" (F. N.)
"WILD BOYS OF THE ROAD" (F. N.)

BRANDEIS—(1,100), 25c-35c, 7 days. **Gross:** $4,250. (Average, $4,500)

Week Ending Feb. 9:

"I AM SUZANNE" (Fox)
"MADAM SPY" (Univ.)

ORPHEUM—(3,000), 25c-35c, 7 days. **Gross:** $7,000. (Average, $7,250)

Looking Over Shorts

'Let's You and Him Fight'

(Paramount)

A swell "Popeye, the Sailor," cartoon. Popeye fights Bluto, the heavyweight champion, for his title, and wins it with the aid of his trusty can of spinach. Packed with laughs. Running time, 6 mins.

"Dance Parade"

(Educational)

Featuring the talented youngsters that seem to abound in Hollywood, this short is fair entertainment. The children sing, dance and play various musical instruments, and at times give impersonations of screen stars. This should go well where this type short is liked. Running time, 18 mins.

"Those Were the Days"

(Vitaphone)

Featuring Harry Meyers, song writer, the Four Eton Boys and several others, this musical short, built around past and present song hits of Meyers' is fairly entertaining. Running time, 10 mins.

"Buddy the Gob"

(Vitaphone)

In this, his latest "Looney Tune" cartoon, Buddy is a sailor just arrived in China. He rescues a fair Chinese maiden from a dragon, and arouses the ire of the natives. Winds up with the conventional chase. Fairly amusing. Running time, 8 mins.

"Flying Bodies"

(Paramount)

A Grantland Rice Sportlight, featuring timing and motion of pole-vaulters, tumblers, skiers and surf-boarders. The reel is worth running for the shots of the tumblers alone. The scenes featuring the skiers are particularly striking. Running time, 10 mins.

"The Fighting Priest"

(Inter-American)

A pictorial record of the background of Father Charles E. Coughlin, this one-reel short proves very interesting. Shots of his church, the Shrine of the Little Flower, the new monument erected by the radio listeners' contributions and the broadcasting studio in Detroit are seen. Windup is a talk by the priest himself. Off screen dialogue by Harlow Wilcox. Running time, 7 mins.

"Rip Van Winkle"

(Educational)

One of the "Terrytoons" with an old codger and his dog being chased away from a house by a shrewish old female. They are entertained by the elves in a forest and have a lot of laughs, including a chorus by a group of penguins. Finally Rip is kicked by a mule and sails through the clouds until he lands back where he started. Good kid entertainment. Running time, 6½ mins.

"Davey Jones's Locker"

(M-G-M)

First of a new series featuring the character "Willie Whooper," and done in Cinecolor, is fair entertainment. The color photography is very well done, but the characters and laughs don't seem to register. The story concerns the trouble Willie and his girl find themselves in when they hook Neptune while fishing, and are pulled below the sea. It winds up with the conventional duel to protect the heroine, Willie defeating Davey Jones. Running time, 7½ mins.

"The Devil Doghouse"

(Radio)

Clark and McCullough up to their usual antics, this time as private detectives. The laughs fly thick and fast once Clark starts, but the first few minutes of the film are dull. Running time, 21 mins.

"Croon Crazy"

(Radio)

One of the "Cubby, the Bear" cartoon series, with Cubby as a radio crooner, impersonating various stars of the ether. Got plenty of laughs, particularly the bang-up finish. Running time, 7 mins.

"Polynesian Follies"

(Imperial)

A very interesting travelogue dealing with the little known Maori race. The film is perhaps a trifle long and repeats itself in spots, but it manages to keep audience attention. The native songs alone are worth the price of admission. Running time, 26½ mins.

"The Little Red Hen"

(Celebrity)

This is one of the Pat Powers Comi-Color series, and a good one. The red hen goes to the pig, the duck and the mouse to help her and her chicks plant her wheat and gather it. They turn her down. But, when, derisively, she asks them if they will help her eat her bread, do they say "No." Indeed, no. They get the door in their face, and the hen and her brood eat the bread they worked for. Running time, 9 mins.

"The Doctor"

(Educational)

A famous painting—"The Doctor"—with an off-screen narrative describing its origin, starts this short. Montagu Love as the doctor, Helen Morgan as the mother, Herbert Rawlinson as the father and Dorothy Werner as the ill child make up a tableau. The poses are held until the doctor begins to speak, and then Miss Morgan breaks into a song at the side of the cradle. The photography is excellent, but Miss Morgan's singing leaves something to be desired. Running time, 8¼ mins.

"The Expectant Father"

(Educational)

A laugh riot, as the press agents say. It has timing and a smartly developed story. Ernest Truex works for a big bruiser, Montagu Love, and can't get up his courage to tell him he has to go to the hospital, as his wife is going to have a baby.

He finally gets away by a fluke, is arrested, and then hurried across Brooklyn Bridge on the handlebars of a motorcycle cop. He meets Love in the waiting ward. The scenes in this room, where all the expectant fathers hang out, are one laugh after another. Al Christie produced it with George Webber doing the photography. Running time, 21 mins.

"She Wronged Him Right"

(Paramount)

A very amusing "Betty Boop" cartoon, done in the manner of the old time melodramas, with Betty as the heroine about to lose her home to the villain. "Fearless Fred" saves her and all ends happily. Running time 7 mins.

"Buddy's Show Boat"

(Vitaphone)

One of the "Looney Tune" cartoon series. Captain Buddy pilots his showboat down the Mississippi, stages a parade through a town, and then puts on his show. A big deckhand is the menace in his romance. It has a snappy musical accompaniment and ought to please the kids. Running time, 7 mins.

"Horsepower"

(Paramount)

A very interesting and entertaining Grantland Rice Sportlight dealing with horses. Several shots of Percherons hitched in teams are shown, and then the action shifts to Fort Riley where the U. S. Army horsemen perform. Running time, 10 mins.

"Carolina" Is $5,000 Smash, Indianapolis

INDIANAPOLIS, Feb. 15.—"Carolina" at the Apollo with a gross of $5,000 doubled the average take and as result is being held over for another week.

"Gallant Lady" at the Palace, with a gross of $5,500, was $1,000 over par for the second best business this week. "Convention City" at the Circle was just average and "Madame Spy" at the Lyric was also average with a gross of $6,000. The Indiana with a twin bill composed of "Hips, Hips Hooray" and "Eight Girls in a Boat" grossed $4,500, which is the best twin bill business so far.

Total first run business was $24,500. Average without the Indiana is $16,500.

Estimated takings for the week ending Feb. 10:

"CAROLINA" (Fox)

APOLLO—(1,100), 20c-40c, 7 days. **Gross** $5,000. (Average, $2,500)

"CONVENTION CITY" (F. N.)

CIRCLE—(2,600), 20c-40c, 7 days. Lum 'n Abner on stage. **Gross:** $3,500. (Average $3,500)

"HIPS, HIPS, HOORAY" (Radio)
"EIGHT GIRLS IN A BOAT" (Para.)

INDIANA—(3,100), 20c-40c, 7 days. Gross $4,500.

"MADAME SPY" (Univ.)

LYRIC—(2,000), 20c-40c, 7 days. **Gross** $6,000. (Average, $6,000)

"GALLANT LADY" (U. A.)

PALACE—(2,800), 20c-40c, 7 days. **Gross** $5,500. (Average, $4,500)

Report New Judell Deal

CHICAGO, Feb. 15.—Reports are current of a new arrangement involving B. N. Judell, Inc., and the local Majestic Pictures branch, but those concerned locally refuse to talk.

Paramount brings you



PARAMOUNT'S

"Bol

Starring

GEORGE RAFT

with CAROLE LOMBARD

SALLY RAND • FRANCES DRAKE

• The elements that made Ravel's "Bolero" one of the most exciting and popular of modern musical compositions have been translated into the language of the screen... There are thrills in the visual interpretation—excitement and emotional appeal... and new dances and new music to captivate your audiences. • Bolero presents the private and public life of the world's greatest dancer... A romantic and adventurous fellow who climbs to success on a ladder of women's hearts...

SALLY RAND

The Original Fan Dancer of

CHICAGO WORLD FAIR FAME

For the first time on the screen, dancing her original fan dance. Sensation of sensations.

Directed by Wesley Ruggles, *who gave you* "College Humor"



The first picture to deal with the life and loves of a male dancer!



The girl who puts the B.O.* in "BOLERO"

"*Sally Rand,* in her sensational fan dance, proves the fan is quicker than the eye."

"Sally Rand's fan dance, front paged into a box-office attraction, is worth the price of admission alone."

—*Motion Picture Daily*

*BOX OFFICE

Paramount Pictures

Garbo Pulls Big $21,000, Philadelphia

PHILADELPHIA, Feb. 15.—That the arbo draw still exists in Philly was oven last week by the $21,000 drawn "Queen Christina" at the Stanley the face of the winter's bitterest eather. All the theatres took a iellacking in the last two days with ib-zero weather predominating.

Also topnotch for the week was the 7,000 got by "Easy to Love" and uke Ellington on the stage at the arle.

The Arcadia, second run house, held ver "Dancing Lady" in lieu of an- her likely prospect and grabbed off 2,200 for the second week. The cture stayed 13 days in all.

Total first run business $78,700. verage is $69,700.

Estimated takings for the week end- g February 8:

"GALLANT LADY" (U. A.)

ALDINE—(1,300), 40c-55c-65c, 4 days, 3rd eek. **Gross:** $3,800. (Average, 6 days, ,000.)

"DANCING LADY" (M-G-M)

ARCADIA—(600), 25c-40c,50c, 6 days, 2nd eek (2nd run). **Gross:** $2,200. (Average, 400.)

"DINNER AT EIGHT" (M-G-M)

BOYD—(2,400), 40c-55c-65c, 2 days, 2nd eek (2nd run). **Gross:** $3,000. (Average, days, $12,000.)

"EASY TO LOVE" (Warners)

EARLE — (2,000), 40c-55c-65c, 6 days. age: Duke Ellington and his Band and vue. **Gross:** $17,000. (Average, $12,000.)

"CAROLINA" (Fox)

FOX—(3,000), 30c-40c-65c, 6 days, 2nd ek. Stage: "Down South" prologue. oss: $14,000. (Average, $16,000.)

"SONS OF THE DESERT" (M-G-M)

KARLTON—(1,000), 30c-40c-50c, 6 days. oss: $3,700 (Average, $3,500.)

"RAINBOW OVER BROADWAY" (Chesterfield)

KEITH'S—(2,000), 25c-35c-40c, 6 days. age show. **Gross:** $6,500. (Average, $7,000.)

"QUEEN CHRISTINA" (M-G-M)

STANLEY—(3,700), 40c-55c-65c, 6 days. oss: $21,000. (Average, $12,000.)

"FUGITIVE LOVERS" (M-G-M)

STANTON—(1,700), 30c-40c-55c, 6 days. oss: $7,500. (Average, $7,000.)

Carolina," Show, Buffalo, $22,000

BUFFALO, Feb. 15.—The coldest eather in 14 years, with the official ercury reading at eight below zero, d its effect on most houses. At the ffalo, however, "Carolina" and iriam Hopkins in person brought in 2,000, or $7,000 above normal.

Total take was $51,100. Normal is 7,500.

Estimated takings for the week end- ; Feb. 9:

"CAROLINA" (Fox)

UFFALO — (3,500), 30c-55c, 7 days. ge: Miriam Hopkins, Walter Abel and stin Fairman in "The Affairs of Anatol"; & Pete Michon, Chaney & Fox, Jack jor. **Gross:** $22,000. (Average, $15,000.)

"THE CHIEF" (M-G-M)

"WHITE WOMAN" (Para.)

ENTURY—(3,000), 25c, 7 days. **Gross:** 00. (Average, $6,000.

"MR. STITCH" (Fox)

REAT LAKES—(3,000), 25c-40c, 7 days. ded attraction: "Devil Tiger" (Fox). oss: $8,000. (Average, $10,000.)

"FEMALE" (F. N.)

IPPODROME—(2,100), 25c-40c, 7 days. ge: Watson Sisters; Rimacs Havana hestra; Pepito; Three Melvin Bros.; rlie Melson & Miss Irmanette; Howe, nard & Alyce. **Gross:** $9,200. (Average, ,000.)

"BOMBAY MAIL" (Univ.)

"HORSE PLAY" (Univ.)

AFAYETTE—(3,300), 25c, 7 days. **Gross:** 00. (Average, $6,500.)

Variety Club Chatter

Cincinnati

CINCINNATI, Feb. 15.—Club rooms now are in the super de luxe class, having been completely redecorated and refurnished. The club is the talk of the pretentious Netherland Plaza.

HARRY FRANKEL ("SINGIN' SAM" of the ether lanes) regaled the barkers at this week's luncheon.

FRANKEL is appearing at the RKO Palace under direction of IKE LIBSON, who, incidentally, gave him his first job singing at a nickelodeon here many years ago.

FREDDIE MILLER, lightweight boxing champ, gave the members a little talk on the squared circle at the luncheon last week.

HARRY SILVER, non-resident member of Hamilton, is out of the hospital in his home town, although not yet running any foot races. He spent several days under care of doctors and nurses after returning from Detroit, where he underwent a major operation.

E. V. DINERMAN ("DINNY" to you), RKO publicity chief, received an engraved wrist watch from EDDIE CANTOR for outstanding exploitation on "Roman Scandals." He also has a phonograph record from MAE WEST, entitled "My Cincinnati Man," sent him for some reason or other. "Dinny" has forsaken his abode in the Sinton-St. Nicholas in favor of a bachelor apartment in a fashionable residential district.

NOAH (EMPRESS) SCHECTER is on an eight weeks' jaunt through the sunny south, while the local thermometer is pegged at sub-zero points.

JOE GOETZ, divisional booker RKO, an apartment dweller for these many moons, hereafter will be billeted in a suburban residence. JOE claims the apartment so small he had to go out in the corridor to change his mind. Also, the baby daughter must have room for expansion.

PAUL KRIEGER, Universal, attended the district meeting in Chicago. ALLEN MORITZ there also for Columbia regional conference.

JOHN SCHWALM, of Hamilton and so in the non-resident division, spending considerable time in Columbus on exhibitor matters.

H. J. ("POP") WESSELL rates as the Beau Brummell of the local club. There is suspicion in some quarters that he might have been an original model for the clothing and collar ads.

Cleveland

CLEVELAND, Feb. 15. — The men behind the latest of the Variety Clubs are: J. E. FONTAINE, Paramount; FRANK DREW, M-G-M; IZZIE SCHMERTZ, Fox; GEORGE ROBERTS, Fox; M. B. HORWITZ, independent exhibitor; E. C. FLANAGAN, independent; H. M. ADDISON, Loew's; NAT HOLT, RKO; NAT WOLF, Warners; HARRY HOWLETT, radio station WHK and FRED W. MEIR, *Cleveland News*. Quarters will be in the Statler. Active membership, for the present, will be limited to 85, although the large number of applications received since the club was formed might force the directors to raise the quota.

To date 61 applications have been formally passed upon and accepted. More than a score of others are waiting action of the membership committee. The first full membership meeting was held in the club rooms Monday. Members were addressed by JOHN HARRIS, who told them the purpose of the Variety Club and its functions. Another guest of the first meeting was DUKE CLARK, president of the Variety Club of Columbus, whose remarks were confined principally to his experiences and the work being done by the Columbus unit.

Three early applications for membership in Cleveland were from HARLAND HOLMDEN, MANUS MCCAFFERY and OTTO KAPL. They are heads of the operators', stage hands' and musicians' unions, respectively.

Barker NAT HOLT spent most of Friday afternoon walking from the Palace to a trustee meeting being held in the Statler. The reason was that fan dancer, FAITH BACON, was appearing at his theatre, and NAT wanted to make sure she wore enough clothes to keep the "blue noses" satisfied.

So many of the Cleveland gang have signified their intentions of attending the Variety Club of Detroit's dinner dance on Feb. 24 that Barker DREW is making arrangements for a private car. Among those planning on attending are FRANK DREW, EDDIE FONTAINE, FRED MEIR, IZZIE SCHMERTZ, JOHNNY HEMMELEIN, PERC ESSICK, ABE KRAEMER, EDDIE BROWER, GEORGE ROBERTS and NAT WOLF.

Probably three of the busiest men in Cleveland the past week have been Barkers ADDISON, DREW and MEIER. This trio was appointed the house planning committee of the club and their principal duty was to see that club rooms were in shape to receive the more than 60 new members who gathered less than a week after the club was formed.

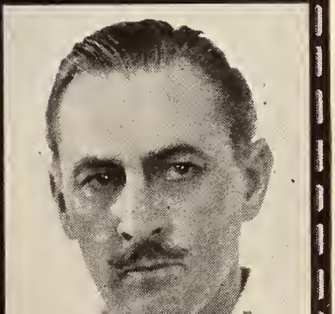
The first associate members accepted in the club were Judge JOSEPH ACKERMAN, Sheriff JOHN M. SULZMANN and HOWARD DUGAN. ACKERMAN was formerly a state senator and during his long political career has always been a staunch friend of theatrical folk. SULZMANN, Cuyahoga county's white-haired sheriff, is another who has always gone out of his way to champion the cause of show business. DUGAN, manager of the Statler Hotel, rendered invaluable assistance in having the rooms in readiness for the first meeting.

Barker "ADDIE" ADDISON almost leaped across the table when one of his brother barkers suggested that the club charge storage for the baby grand piano he is lending the club. None of the Loew houses at present is playing vaudeville or has orchestras.

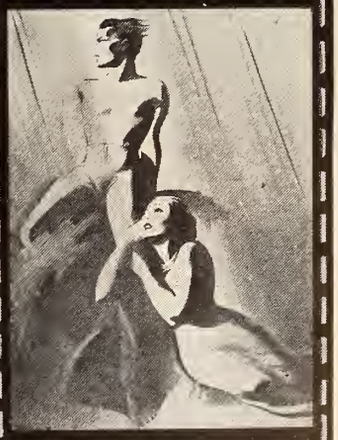
Spot News from Columbia



"A rating. Positively swell! Don't let anything keep you away," is Modern Screen Magazine's advice about CLARK GABLE and CLAUDETTE COLBERT in Frank Capra's "It Happened One Night."



A million dollar scoop! The screen's foremost actor, JOHN BARRYMORE in Broadway's greatest comedy sensation, "20th Century," with Carole Lombard. Based on the play by Ben Hecht and Charles MacArthur. A Howard Hawks production.



The screen's mightiest soul-stirring achievement, Frank Borzage's "NO GREATER GLORY," based on the world famous novel by Ferenc Molnar. Advance reports from Hollywood hail it as one of the year's greatest.

Start 'em off LAUGHING





and the rest of the show is pretty sure to be a success. There's no better guarantee of a happy audience than one of ***Educational's*** two-reel comedies, with big box-office star names to put in the lights.

Father expects a baby . . . and you can expect one of the biggest howls in years . . . when you play

ERNEST TRUEX

in "The Expectant Father"

with Montague Love

An Al Christie Production



ANDY CLYDE
in **"The Super Snooper"**



"MANAGED MONEY"
Frolics of Youth
with
Junior Coghlan and Shirley Temple



Coming
"SPICK 'N SPANISH"
A Musical Comedy
with
BOB HOPE and Leah Ray

"Swell comedy . . . This one will get 'em from start to finish . . . Plenty of action, snappy dialogue, a wealth of laughs, and a good all 'round production." ***Film Daily.***

Educational Pictures
"THE SPICE OF THE PROGRAM"

PLAYING
RADIO CITY
MUSIC HALL

Distributed in U. S. A. by FOX Film Corporation

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 35. NO. 40 NEW YORK, SATURDAY, FEBRUARY 17, 1934 TEN CENTS

Cancellation Date Stays; Rosenblatt Code Definer

Dembow Seeks Showdown for K.C. Theatres

Cuts Newman to 25c. for Dual Bill Programs

KANSAS CITY, Feb. 16.—Sam Dembow's decision to cut Newman scales to 25 cents at all times for dual bills has caused a sensation among suburbans here and is expected to precipitate another effort to settle the argument about duals, giveaways, 10-cent tickets and other problems.

For the past three months sporadic efforts have been made to get Loew's Midland to lift its 25-cent scale for big M-G-M and Loew attractions, but these have hit the rocks each time because suburbans couldn't agree to end duals and giveaways. The Newman has been taking it on the chin

(Continued on page 2)

Studio Plaint Fails To Disturb Goldwyn

Hollywood reports that several studios had protested to Will H. Hays over Samuel Goldwyn's *Saturday Evening Post* article revealing star salaries failed to disturb the author yesterday. It was said for him he was no longer a member of the Ass'n. of M. P. Producers anyway and never had joined the M.P.P.D.A. here, although United Artists, of which he is an owner-member, is.

Depinet's New Post Was Held by Kahane

Ned Depinet succeeds B. B. Kahane in taking over his new post as president of RKO Distributing Corp., appointment made by M. H. Aylesworth Thursday night in Hollywood. Kahane also relinquishes the post of

(Continued on page 2)

On Home Ground

Hollywood, Feb. 16.—Paramount is seeking an ostrich which will bury its head in sawdust, instead of sand. When found the bird will join the cast of "You're Telling Me." starring W. C. Fields with Larry "Buster" Crabbe and Joan Marsh.

Local comment is Paramount should find its search rewarded right on home ground.

Radio Competition Issue to Be Submitted to Committee of 9

Following a formal complaint to Code Authority by the Legitimate Theatre Code Authority on free radio admissions, decision was reached yesterday by the film authority to appoint three representatives from code authorities of the film, legitimate and radio fields to confer on the matter.

The nine men will meet with Division Administrator Sol A. Rosenblatt at a date to be set, either in New York or in Washington. An attempt will be made to get the nine authority representatives together before all code authorities meet with Hugh S. Johnson in Washington on March 5.

Delegated yesterday to represent the film business were Charles L. O'Reilly, S. R. Kent and Ed Kuykendall. John D. Clark will act for Kent in the latter's absence in Florida.

Smuggle News Shots Out of Vienna; On Way

Newsreel shots of the Socialist rebellion in Vienna have been smuggled out of Austria in spite of careful surveillance over cameramen and strict censorship regulations in force during the period of the uprising. The films are now on their way to this country, newsreel offices here were advised yesterday.

A number of newsreel cameramen were arrested by the government, held in jail overnight and their film confiscated for violating censorship regu-

(Continued on page 2)

Industry Practices Aired at Trust Case

Industry practices as viewed by the independent producer, distributor and exhibitor went into the record yesterday in the anti-trust suit brought against major companies and the M. P. P. D. A. by Frank Rembusch, former Indianapolis exhibitor, which

(Continued on page 4)

Seek to Re-Argue Erpi Court Ruling

Warners will endeavor to re-argue the Erpi litigation prior to resubmitting the matter to arbitration as ordered by the Delaware supreme court

(Continued on page 4)

Loew Profits Hold to First Quarter Level

Loew's earnings for the second quarter of the company's fiscal year are being maintained at about the same level as during the first quarter, when operating profit was $2,732,607, David Bernstein, treasurer, reported to an adjourned meeting of Loew's stockholders yesterday.

Isidor Frey, of Loew counsel, was elected a director at the meeting to fill a vacancy. All other directors were re-elected.

Loew's is extending and improving

(Continued on page 4)

Antipodes' Recovery Ahead of Ours: Loew

Australia is ahead of the United States on recovery and conditions there are much better than here, Arthur M. Loew stated yesterday following his return from a three-month tour. The M-G-M executive stated he was satisfied the way things were

(Continued on page 4)

J. M. Schenck, Mayer Stay on Bank Board

SAN FRANCISCO, Feb. 16.—Joseph M. Schenck and Louis B. Mayer were retained on the directorate of the Bank of America National Trust and

(Continued on page 2)

NRA Rules His Word Is Final—Dec. 7 Order So Stands

Formal acknowledgment by the NRA yesterday that all rulings on interpretations and definitions of the code rested with Division Administrator Sol A. Rosenblatt was construed last night as indicating that his recent decision making cancellations retroactive to Dec. 7 stands.

Several distributors had contested the ruling and had asked the NRA legal department for an official interpretation of the division administrator's findings.

Placing in Rosenblatt's hands hitherto undefined and unsuspected powers, it became known late yesterday that the division administrator

(Continued on page 4)

Thinks K. C. Names Could Be Improved

KANSAS CITY, Feb. 16.—While endorsing the selections, Jay Means, president of the Independent Theatre Owners, expresses disapproval with the set-up of the zoning and grievance boards for the Kansas City territory, as announced tentatively by the Code Authority.

Means maintains the respective designations for the various posts could be improved upon and favors

(Continued on page 4)

"All Quiet" Heading For Reissue Shortly

Universal is preparing to brush up "All Quiet on the Western Front" with a prologue citing the horrors of war and will reissue the picture shortly. In its original form, "All Quiet" was a huge grosser and first reached the market in 1930.

Prosperity Note

Consolidated Film Industries, Inc., yesterday declared a 50-cent dividend on its preferred, payable April 2 to stockholders of record as of March 9.

This is the laboratory company's first dividend declaration since April, 1932.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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Not So, Says Cohen

Julius Cohen, reported in negotiation with the *Evening Post* to take charge of its theatrical advertising department, yesterday conceded a deal was on some weeks ago but that Boris Goldreyer, formerly with the *Herald-Tribune* had taken over the post. Cohen said he continues with the *Journal of Commerce.*

May Settle Dispute

MEMPHIS, Tenn., Feb. 16.—Settlement of M. A. Lightman's difficulties with the union soon is possible as the result of conferences here with W. P. Raoul, national labor leader.

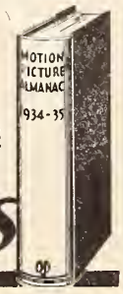
MOTION PICTURE ALMANAC

1934-35

NOW IN PREPARATION

WHERE THE WORLD LOOKS FOR MOTION PICTURE facts

PRICE $5.00



Dembow Seeks Showdown for K.C. Theatres

(*Continued from page* 1)

for a year and a half, and has been waiting for some form of settlement.

Dembow says the decision to start a downtown price war is a direct result of the suburbans' unwillingness to relinquish dime nights, double bills and giveaways, with triple attractions at some houses two nights weekly.

The Newman cut from 60 to 40 cents last April, but with the exception of some outstanding attractions grosses have dropped.

"We're doing this in self-defense," said Dembow, "and when I get back to New York and tell Nate Blumberg what we're doing I'm pretty sure he will follow suit at the RKO Mainstreet."

Pittsburgh Stanley Back to Stage Show

PITTSBURGH, Feb. 16.—After originally announcing that it would continue under a straight picture policy despite the resumption of stage shows by the opposition Penn, the Stanley reversed its decision and today returned to presentations after a lapse of two years.

Under stage shows, the Stanley's price scale will be boosted from 35 to 40 cents in the afternoon and from 50 to 60 cents at night.

1st of Hanson Chain Opened in Toronto

TORONTO, Feb. 16.—The Carlton Theatre, the first link in the Canadian chain planned by Hanson Theatres, Ltd., as an outlet for British first-runs in Canada, was opened here tonight with an audience liberally sprinkled with this city's notables in attendance.

Smuggle News Shots Out of Vienna; On Way

(*Continued from page* 1)

lations by filming scenes of the first day's rioting in Vienna, cable reports to New York stated. Released on the second day of the rebellion, new shots were obtained and were taken out of the country in spite of a close governmental watch over airports, railroad shipments and main highways out of the country, according to the cables.

First newsreel shots of the recent rioting in Paris made their appearance in Broadway theatres yesterday. The films arrived on the *Europa* Thursday. Fox Movietone made an unsuccessful effort to score a 24-hour "beat" by attempting to transfer its film consignment to a plane while the ship was still at sea. Bad weather prevented the feat from succeeding.

Universal, Paramount and Pathe obtained considerable footage of the rioting and the clips were added immediately to releases current on Broadway.

J. M. Schenck, Mayer Stay on Bank Board

(*Continued from page* 1)

Savings Ass'n. at its annual meeting here. They were among the lucky ones who escaped the slashing of the membership of the board of directors from 50 to 25 in accordance with the National Banking Act of 1933. A. P. Giannini will continue as chairman of the board and Dr. A. H. Giannini as chairman of the general executive committee.

Nudist Suit Off Again

Suit brought by Mike Mindlin for an accounting of profits on "This Nude World," and scheduled for a hearing yesterday in Supreme Court at Mineola, L. I., was postponed to Tuesday.

Loew Pfd. Soars 5¼ on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	26½	26	26½	+ ½	500
Consolidated Film Industries	5¾	5¼	5¼	—½	1,400
Consolidated Film Industries pfd	17½	16¼	16½	—1	5,200
Eastman Kodak	92	90⅜	92	+1¼	1,800
Eastman Kodak pfd	129½	129½	129½	+1½	3,000
Fox Film "A"	17	16⅝	17	+ ¼	2,700
Loew's, Inc.	34⅜	33⅜	33½	— ¼	28,800
Loew's Inc., pfd	91½	89¼	91½	+5¼	400
M-G-M pfd.	25	24½	24½	....	200
Paramount, cts.	5⅞	5¼	5¾	+ ½	46,100
Pathe Exchange	3⅝	3½	3⅝	+⅛	9,400
Pathe Exchange "A"	18½	17⅝	17⅞	— ⅜	1,500
RKO	4⅛	3¼	4	+ ¾	59,600
Universal Pictures, pfd	33	32	32	+2	3,000
Warner Bros.	7⅞	7⅜	7⅝	+ ⅛	25,500

Technicolor and Universal Drop ¼ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	10¼	10	10	— ¼	800
Trans Lux	2	3	3	....	....
Universal Pictures	4¾	4¾	4¾	— ¼	100

RKO Bonds Gain Two Points

	High	Low	Close	Net Change	Sales
General Theatre Equip. 6s '40	10⅞	9¾	10½	+1	120
General Theatre Equipment 6s '40 ctf	10	9½	10	+ ¾	86
Keith B. F 6s '46	61	60½	61	....	3
Loew's 6s '41 ww deb rights	96½	95½	96½	+1⅜	13
Paramount Broadway 5½s '51	39	38	38	—2	7
Paramount F. L. 6s '47	50½	48¼	48¼	—1¾	18
Paramount Publix 5½s '50	50½	49	49	—1	49
Pathe 7s '37 ww	92	92	92	+1	4
RKO 6s '41 pp	38	34	38	+2	11
Warner Bros. 6s '39 wd	59	58	58½	+1	41

Refuses to Discuss Doubles Situation

CHICAGO, Feb. 16.—E. T. Gomersall, western division sales manager for Universal, refused to comment on his company's attitude toward the double feature situation here, saying that it was entirely out of consideration on his present trip. Today he met George Levine, Milwaukee; Frank Mantake, Minneapolis; Manny Gottlieb, Detroit; Floyd Brown, Indianapolis and Henry Herbel, Chicago, all branch managers, in a sales confab.

Carl Laemmle also arrived here today en route to the coast, accompanied by W. B. Kramer of the Universal home office. The latter left for Kansas City tonight.

St. Louis Awaiting Operators' Wage Rule

ST. LOUIS, Feb. 16.—Considerable speculation has been stirred here by Division Administrator Sol. A. Rosenblatt's New York ruling that wages actually in effect on Aug. 23, 1933, regardless of whether they were temporary scales or contract scales, must be continued under the code.

Dr. William G. Patton, neutral arbitrator called in by Fred Wehrenberg of the M.P.T.O. and Oscar Kleintops, business agent of Local 143, has not handed down a ruling on a dispute covering this point.

Depinet's New Post Was Held by Kahane

(*Continued from page* 1)

president of RKO Radio Pictures and becomes president of RKO Studios.

Depinet was formerly vice-president of RKO Distributing, together with Frank O'Heron, who continues in that capacity, but with no direct control over sales. It is believed that there will be only one vice-president of the distributing company in the future, that one being O'Heron and no successor to Depinet being named.

Decision Reserved On Operator Order

Decision was reserved yesterday by the Appellate Division of the New York Supreme Court on Judge Collins' decision recently ordering back the same number of operators dismissed by 11 theatres in the I. T. O. A. Attorneys for both Local 306 and the I. T. O. A. attended the hearing.

Break Buffalo Record

BUFFALO, Feb. 16.—Mike Shea's Great Lakes went to a new one-day record yesterday following the arrival of the "Moulin Rouge" caravan. Shea himself took part in the reception. Mayor Zimmerman greeted the visitors at the city hall and the police reserves were called out. More police were necessary at the Statler reception. The party leaves today for Cleveland, stopping at Erie for lunch.

Myers Leaves

Abram F. Myers has returned to Washington following a two-day session with Sidney E. Samuelson on Allied policy. Myers returns again next week, possibly Wednesday, to discuss appointment of six regional vice-presidents in line with the national cabinet of Samuelson's.

Coming: A Fourth Year of

ACHIEVEMENT

SINCE Eastman Super-sensitive Panchromatic Negative was introduced early in 1931, its revolutionary qualities have fulfilled every hope and prediction of its sponsors. It has helped cameramen and producers so tremendously... it has affected the motion picture art so profoundly... it has contributed to so many cinematic triumphs, that a further prediction can now be made: In its fourth year, as heretofore, this Eastman film will be an important factor in the most conspicuous motion picture achievements. Eastman Kodak Company. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN *Super-sensitive Panchromatic Negative*

Rosenblatt's Cancellation Date to Stay

(*Continued from page* 1)

becomes the official and final authority on interpretations of the code.

In a letter to John C. Flinn, executive secretary of Code Authority, dated Feb. 6, but made public yesterday, William P. Farnsworth, deputy administrator of the amusement section, notified the former of the NRA's decision.

MOTION PICTURE DAILY on Feb. 13 exclusively reported from Washington that the NRA had upheld the original ruling on cancellations and declared in that dispatch that Rosenblatt had so informed Code Authority at its last meeting Feb. 9. The complete text of Farnsworth's letter to Flinn follows:

The Code Authority for the Motion Picture Industry asked who is to have the final authority on interpretations of the Code. The question is covered by recent Office Order No. 60, the pertinent provisions of which follow:

"Procedure to be Followed by All Divisions in Ruling on Interpretations, Exceptions and Exemptions or Modifications to Approved Codes.

I. Definitions.

A. Interpretations—

This term includes all rulings on the meaning of the language of a code where the intent of that language is in doubt; i.e., where a knowledge of the surrounding circumstances and of the general policies of N. R. A. on the part of the person making the rulings fails to remove the necessity for a decision on which reasonable men, equally well informed, might differ. Where no decision is required on which reasonable men, equally well informed, might differ, the ruling is not an interpretation but merely an explanation.

II. The promulgation of a final ruling on any of the above matters has the same effect as the promulgation of an approved code, and, therefore, it should be given the same balanced consideration which was given to the promulgation of the code. No final rulings on these matters may be made except by the division administrators, subject to the disapproval of the Administrator; and, in the case of modifications, they must be signed by the Administrator.

In order to preserve uniformity in the rulings made in the various divisions the following procedure will be followed:

1—All requests for rulings will be referred to the Administration member of the Code Authority for the findings and recommendations of the Code Authority.

2—The Administration member will forward the findings and recommendations of the Code Authority (with appropriate comments) to the Deputy Administrator. (In the case of the Motion Picture Code the Div. Administrator is the Administration Member.)

3—The Deputy Administrator will obtain the recommendations of his legal adviser and of his labor, industrial and consumer advisers to the extent that the subject matter is within their purview of interest.

4—The Deputy will submit the file including all recommendations to the Division Administrator who will approve, disapprove or modify the ruling.

5—The Division Administrator's ruling will be final, subject only to the ultimate disapproval of the Administrator provided, however, that no modification shall be effective without the signature of the Administrator.

. . . . . .

By direction of the Administrator:
Alvin Brown"

In the case of the Motion Picture Code the Division Administrator is the Administration Member of the Code Authority, therefore, the intervening steps between the Administration Member and the Division Administrator are eliminated.

Very truly yours,
WILLIAM P. FARNSWORTH (Sgd.)
Deputy Administrator
Amusement Section

Yesterday's session adjourned at 6 P. M. and reconvened at 8 P. M. Attending were J. Robert Rubin for Nicholas M. Schenck, John D. Clark for S. R. Kent, Leslie E. Thompson for M. H. Aylesworth, Nathan Yamins, Charles L. O'Reilly, Ed Kuykendall, Rosenblatt, Harold S. Bareford for Harry M. Warner and Jack Cohn for R. H. Cochrane. Alternates sitting represented 60 per cent of the board. At the convened session C. C. Moskowitz acted as alternate for Rubin.

The session ended shortly after midnight. No boards personnel will be released until next week. Total assents, as of yesterday, were 7,498.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Wonder Bar"

(*First National*)

Al Jolson, who started this sound business seven years ago less a couple of months, does a very swell job of retrieving recent mediocrities as the pivotal character in "Wonder Bar."

This latest in the Warner cycle of musicals is loaded to the gunwales with entertainment and production value, featuring two lavish numbers that are as good as anything which has gone before in pictures like "42nd Street" and "The Gold Diggers." That's saying plenty in any man's language.

This time, there is tied into the musical splurges which are eyefuls a story that takes place in Paris, has to do with Jolson's love for Dolores Del Rio; her interest, misplaced, in Ricardo Cortez, her dancing partner; his playboy antics with Kay Francis and a general entanglement which results in the wastrel's death. That clears the way for a union between Miss Del Rio and Dick Powell while Jolson takes it on the chin and to the sidelines as the unsuccessful suitor.

Jolson, this time, gets a chance to be the comedian he is. He's allowed to be his own singing, wisecracking self with no acting business called for. He sings all over the place, does it very well and again gives that undeniable personality of his full range to stamp itself on the celluloid.

The first big production number is built around the song, "Don't Say Goodnight." It's there, all the way. The second, which we thought better because more novel is a "Green Pastures" idea with Jolson, in blackface, dying and going into a negro idea of heaven, accompanied by his mule. Here "Goin' to Heaven on a Mule" is the theme tune. The handling of it—in sets, camera angles, costuming and comedy value—is immense all the way.

Depending on no one player to keep things going, the Warners went further along in their showmanship by studding the picture with a swell supporting cast. Instead of two comics, there are four, two man-and-wife teams made up of Louise Fazenda and Hugh Herbert and Ruth Donnelly and Guy Kibbee. Hal Le Roy does a grand piece of eccentric dancing, as an additional bit, and Fifi d'Orsay, her usual French oo-la-la business. There are, however, several gags that ought to be cleaned up and the way to do it is to cut them completely out.

One of the funniest bits of business is the Russian gag pulled by Jolson with the real thing in heavy accents and much military clicking of heels.

KANN

Thinks K. C. Names Could Be Improved

(*Continued from page* 1)

shifting around some of the positions. He, himself, was named a member of the grievance board. Means' view usually is taken to represent independent exhibitor opinion in Kansas City.

He added, however, that "none of the men named is very objectionable," and believed the list would be accepted by local exhibitors.

Some comment is heard to the effect unaffiliated exhibitors outside Kansas City are not strongly represented in the tentative selections. Ed Dubinsky is the only independent named operating theatres in the territory outside Kansas City.

Industry Practices Aired at Trust Case

(*Continued from page* 1)

concluded the first week of its trial before Federal Judge Alfred M. Coxe in U. S. district court here yesterday.

Sidney Samuelson, New Jersey exhibitor and president of Allied States, testified to a variety of practices and to operations of the Film Boards of Trade. J. D. Williams, founder of First National, described the early history of that company during a session on the witness stand, and Ivan Abramson, independent producer, testified to further industry practices, especially problems affecting the independent. Felix Jenkins, member of the Fox legal staff, testified in connection with intercorporate relationships in the industry.

The trial will resume Monday.

Para. May Reduce Shorts

HOLLYWOOD, Feb. 16.—To meet code regulations Paramount may curtail its short subjects program for the new season, it was said today by Lou Diamond, conferring here with Emanuel Cohen.

Fire Group to Meet

The code committee on fire regulations for exchanges will hold another meeting shortly when changes in the proposed regulations will be adopted.

Loew Profits Hold to First Quarter Leve

(*Continued from page* 1)

its radio broadcasting station, WH Bernstein reported to the stockhol ers. Four New York radio statio which have been controlled by Loew for some time were recently convert into WHN. The stations discontinu were WRNY, QAO and PAP.

Loew's last earnings statemen showed net profit, after subsidiarie preferred dividends, depreciation a taxes, of $1,594,608, for the 12 wee ended Nov. 23, 1933, which compare with a net for the corresponding 19 period, of $741,910. The operati profit of $2,732,607 for the first qua ter of this year, compares with operating profit of $1,756,815 for t same quarter the preceding year.

Antipodes' Recovery Ahead of Ours: Loe

(*Continued from page* 1)

going abroad and added that t building of Loew theatres in Au tralia and Melbourne was progres ing. He expects that these hous will be completed within the next yea

Joseph Vogel accompanied Loew o his return, but Harry Moskowitz the Loew construction department still in Australia.

Seek to Re-Argue Erpi Court Ruling

(*Continued from page* 1)

recently, the Warner legal depar ment decided yesterday. An applica tion for permission to re-argue, poin ing out alleged inadvertencies in th court's reasons for arriving at i earlier decision, will be made in Su preme Court at Dover today, Georg Quigley, Warner legal representativ said yesterday.

Erpi Wins Coast Case

Erpi reports that it has bee awarded a verdict of $3,320 agains the Owl Theatre in Los Angeles. Th theatre claimed the equipment was un satisfactory.

Delay Union Merger Cas

Hearing on the temporary injunc tion obtained by Springer & Cocali to prevent Local 306 from absorbin the Empire State Union has been pu over until Monday.

Popkin Takes Gore House

LOS ANGELES, Feb. 16.—Abe an Mike Gore have sold the Burban Regent, Optic, Art, Lyceum, Moor and Lark to Harry Popkin.

To Meet in Trenton

Allied of New Jersey will hold it weekly meeting next Monday a Trenton.

Columbia Ball March 10

Columbia will hold its fourth an nual ball at the Waldorf Astoria o March 10.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 35. NO. 41 NEW YORK, MONDAY, FEBRUARY 19, 1934 TEN CENTS

Set Up 42 Boards in 21 Cities; 20 Shy of Goal

The Key to the Boards

How to identify official appointments to code boards:

Grievance Boards

1. Representative national distributor, affiliated.
2. Representative distributor, unaffiliated.
3. Exhibitor, affiliated.
4. Exhibitor, unaffiliated.

Clearance and Zoning Boards

1. Representative national distributor, affiliated.
2. Representative distributor, unaffiliated.
3. First run exhibitor, affiliated.
4. First run exhibitor, unaffiliated.
5. Subsequent run exhibitors, unaffiliated.

Official Personnel of 42 Code Board Set-Ups

Buffalo

Grievance

1. Sidney Samson, Fox.
2. Jack L. Berkowitz, Monogram.
3. William H. Cadoret, Rochester.
4. J. H. Michaels, Buffalo.

Clearance and Zoning

1. Ted O'Shea, M-G-M.
2. Dave Miller, Universal.
3. Vincent J. McFaul, Shea-Paramount.
4. Charles Hayman, Lafayette Theatre, Buffalo.
5. Sol Raives, Rochester; Erwin Price, East Aurora.

Charlotte

Grievance

1. Frank Bryan, Warner.
2. H. H. Everett, Monogram.
3. H. F. Kincey, Paramount.
4. Charles W. Picquet, Pinehurst.

Impartial Member—Paul Rousseau, secretary, Merchants' Ass'n.

Clearance and Zoning

1. Ira Furman, M-G-M.
2. R. J. Ingram, Columbia.
3. Montgomery Hill, Greensboro.
4. Albert Sotille, Charleston, S. C.
5. J. M. Cregg, Charlotte; W. H. Hendricks, Reedville, N. C.

Impartial Member—C. O. Kuester, secretary, Charlotte Chamber of Commerce.

Cincinnati

Grievance

1. George Smith, Paramount.
2. Paul Krieger, Universal.
3. W. A. Finney, Loew's.
4. John Elliott, Lexington, Ky.

Clearance and Zoning

1. Maurice White, Warners.
2. Allan Moritz, Columbia.

(Continued on page 6)

Only Minor Changes Appear In Official Board Listings

Only minor changes have been made in the personnel of the 42 clearance and zoning and grievance boards officially announced yesterday as compared with the first, tentative draft promulgated by the committee on selections and published in Motion Picture Daily on Feb. 9. In the case of the Denver boards not one alteration in the set-up was made.

In Dallas only one change was effected when Roy L. Walker of Lampassus, Tex., replaced A. W. Lilly on

(Continued on page 8)

Eight Observers Named— Authority to Finish Task This Week

Official announcement of 208 names making up 42 clearance and zoning and grievance boards in 21 cities was made yesterday by the Code Authority. The boards go into effect immediately.

Instructions on procedure will be mailed by the authority during the week. With 20 boards remaining, the committee on selections will resume today where it left off last week and continue until the entire country is completed. As reported exclusively by Motion Picture Daily last week, there will only be 31 zones or 62 boards, New Jersey being combined with New York City.

Although the original intention was not to announce boards until impartial members were set, the authority only named eight outside members to sit in four key centers. Paul Rousseau, secretary of the Merchants' Assn', will sit on the Charlotte grievance board, and O. C. Kuester, secretary of the Charlotte Chamber of Commerce, on clearance and zoning.

In Detroit, Kenneth C. Webber, attorney, will sit on grievances and H. A. Harrington, secretary of Arbitra-

(Continued on page 8)

Hear Amendments to Legit Code March 21

Washington, Feb. 18.—Amendments to the legitimate theatre code will be considered at a hearing tentatively set for March 21, the National Recovery Administration stated.

Since the legitimate code was written last September, it was explained by officials, a great deal of experience has been gained regarding code making, and the agreement is in need of "modernization" in the light of later developments.

Most of the amendments, which were offered by the Code Authority, deal with matters of administration, it was said.

Chalus Plans to Open U. S. Branch in N. Y.

Plans to establish an American branch in the French Building in Radio City for distribution of French pictures in this country were revealed by Andre Chalus, directing head of

(Continued on page 8)

Sunday Shows Report Gains; Kentucky In

7-Day Week Movement Is Now Spreading

Sunday shows are gaining ground in many sections of the country as a result of what appears to be a swing toward more liberal legislation along such lines. Distributors in New York report themselves gratified over the development because it is increasing playing time from six to seven days a week in hundreds of theatres.

Latest to go the way of Sunday shows is Kentucky. A bill authorizing theatres to open their doors on the Sabbath went through the Kentucky House a few days ago, but observers in New York held no hope it would get beyond the first stage. According to telegraph advices received here over the week-end, however, the measure was introduced in the Senate at Frankfort and passed, thereby making Governor Laffoon's signature the one remaining requirement to enter the bill on the Kentucky statute books.

It was taken as a foregone conclusion that the governor will voice no opposition.

Coast Production Shows Slight Gain

Hollywood, Feb. 18.—Production for the week ending Saturday enjoyed a slight tilt with 33 features and 13 shorts in work as compared with 34 features and seven shorts for the preceding week. Features in preparation have increased considerably with a total of 31 and 38 in the cutting rooms. In the short subject division, there are nine in preparation and 23 editing.

M-G-M, along with Warner-First National, heads the list for activity for features, with each reporting five. Although the former has no pictures in the final stages of preparation, it has 11 in the cutting rooms against Warners' three in preparation and

(Continued on page 2)

Kansas City Faces Brutal Price War

Kansas City, Feb. 18.—The most drastic "price war" within history of Kansas City exhibition is anticipated as a result of the decision by Sam Dembow, Publix operating executive, to cut the Newman's top from 40 cents to 25 cents, any time, with a policy of

(Continued on page 8)

MOTION PICTURE DAILY
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"Bowery" Prize Winners

Carter Baron and Lew Brown of the Palace, Washington, were awarded first prize of $50 in the United Artists contest for the best exploitation campaigns on 20th Century's "The Bowery" staged by Loew's theatre managers, Hal Horne, U. A. advertising manager, said Saturday. Second and third prizes of $25 each were awarded to Lester Pollock of Loew's Rochester and H. M. Addison of Loew's State, Cleveland.

Sigmund Weltner Dead

Sigmund Weltner, 72, father of George Weltner who is assistant to John W. Hicks, vice-president of Paramount International, and a friend of Adolph Zukor's of many years' standing, died Saturday morning of a fractured skull at the Harbor Sanitarium. Weltner slipped on the ice Thursday.

Funeral services will be held today.

Petition to Wait

DOVER, Del., Feb. 18.—Decision was reserved yesterday on a petition filed by Vitaphone before the State Supreme Court asking modification of the court's order in the litigation against Erpi.

"Trouble"—Tomorrow

Trade showings of "Looking for Trouble," 20th Century-United Artists latest, will be held in all key cities tomorrow, with the local showing at the Astor at 11 o'clock.

Laemmle Due on Coast

HOLLYWOOD, Feb. 18.—Carl Laemmle arrives here from New York tomorrow.

Insiders' Outlook

THE history of the code and how it works depends largely on those 32 grievance boards and the same number of clearance and zoning boards. This is widely recognized and conceded. Yesterday Code Authority released the official personnel of 42 of the 64, set up the clearing house for complaints for most of the country and gave the men in the field their most eagerly awaited yarn. Notably absent is New York. Runners-up. are Cleveland and Chicago. There is a story behind each. . . .

▼

New York, the nation's biggest city, is an extremely complex and difficult situation. With Loew and RKO the town's largest circuits, there enter into a committee-naming job like this many other factors. Randforce is spread expansively throughout Brooklyn. There are the Skourases, also independent circuits like Bolognino, Ochs, Springer and Cocalis. Not only is the T.O.C.C. active for its independent theatre membership, but also the Independent Theatre Owners' Ass'n, headed by Harry Brandt. There is Greater New York and upstate to Peekskill to consider; also northern Jersey, which angled for, but won't get, a board of its own. In other words, it's a man-sized task to name impartial boards that also will keep the yells down to some sort of a minimum. . . .

▼

In Cleveland, producer circuits are on deck, with the exception of Paramount. The Cleveland M. P. Exhibitors' Ass'n, standard-bearer of the independents, includes members very difficult to hold in line. There are evidences of phoney buying combinations in the city, petty jealousies and big ones and, as in the case of all exchange centers, the problem of trying to dope out how to fairly represent the territory served *out* of Cleveland as well as the city itself. Chicago is B. & K.-dominated, troubled with a revival of double features. There independents are squawking about stage show competition in circuit houses which sell 'em at prices the subsequents cannot meet. How to take care of matters there? You tell us what board can do it. . . .

▼

Publicity departments are incensed over the practice of some foreign fan magazines which use bylines on important players who don't know a thing about the text until its cracks in print. The usual procedure, of course, is for the publicity blurbers to write the requested copy. Fan editors, however, have developed the habit of slapping on bylines having nothing to do with the yarn, thereby making well-known names talk about players other than themselves. An actual instance has to do with Garbo and Mamoulian. Two different foreign magazines used stories on Garbo and made the director the author as well. The text had Mamoulian delving into Greta's private life. He's peeved and has protested. . .

▼

The old Hollywood custom is in the swing again. Current difficulties—some call it a feud—between Fox and Lilian Harvey results in a studio order to shut down on all Harvey publicity. That contract hasn't much more to go. Probably two additional pictures, maybe only one. . . . Four sticks out of Hollywood over the A. P. on plans to make "Peck's Bad Boy" in sound. Good job on someone's part. . . .

KANN

Eastman Rises 1¾ on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	25½	25½	25½	—1	100
Consolidated Film Industries	5½	5⅜	5½	+ ¼	400
Consolidated Film Industries, pfd	17¼	16⅜	16¾	+ ¼	800
Eastman Kodak	93¾	92	93¾	+1¾	300
Fox Film "A"	17	16⅞	16⅞	— ⅛	800
Loew's, Inc.	33¾	33⅛	33¼	— ¼	8,400
M-G-M pfd	24⅞	24⅞	24⅞	+ ⅜	100
Paramount cts	5⅞	5⅝	5⅝	— ⅛	4,900
Pathe Exchange	3⅝	3⅜	3½	— ⅛	1,900
Pathe Exchange "A"	18	17¾	18	+ ⅛	500
RKO	4¼	4	4⅛	+ ⅛	23,500
Warner Bros.	7¾	7½	7½	— ⅛	5,200

Columbia Up 4¼ on Curb

	High	Low	Close	Net Change	Sales
Columbia Pictures	29	29	29	+4¼	100
Technicolor	10	9⅝	10	.....	200
Trans Lux	2⅝	2⅝	2⅝	+ ⅛	200

Bond Market Advances

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	11¾	10⅞	11½	+1	131
General Theatre Equipment 6s '40 ctf	10⅝	10	10⅝	+ ⅝	46
Keith B. F. 6s '46	61¼	61¼	61¼	+ ¼	1
Loew's 6s '41 ww deb rights	96½	96⅜	96½	.....	2
Paramount Publix 5½s, '50	49¾	49⅞	49⅝	+ ⅛	7
Warner Bros. 6s '39 wd	58⅞	58	58¾	+ ¼	8

Coast Production Shows Slight Gai

(Continued from page 1)

eight cutting. Fox follows closel with four, four and five; Radio ha four, two and three; Universal tw three and three; Columbia two, fi and two; Century one, two and on while the independent group repor five, seven and three.

In the short subject field, M-G-M reports three in work, none preparin and five in the cutting rooms; Roac has one, three and three; Universa zero, one and one; Columbia on zero and three; Radio one, zero an three, while the combined independe group of studios report seven in work five preparing and eight in the cuttin rooms.

Two RKO Sales Test Scheduled This Weel

CHICAGO, Feb. 18.—A Radio hom office sales contingent headed b Cresson E. Smith, western and sout ern sales manager, and A. A. Sh bart, head of the contract departmen arrive here Monday for a two-d sales conference of mid-western ma agers at the Drake.

Smith will preside at the meetin with the following in attendance: Wa ter Branson, mid-western district ma ager; J. Osserman, Chicago branc manager; B. J. McCarthy, De Moines; T. R. Thompson, Kansa City; A. N. Schmitz, Milwaukee; I E. Goldhammer, Minneapolis; A. M Avery, Omaha; L. Elman, St. Louis and S. W. Fitch, Sioux Falls.

MEMPHIS, Feb. 18.—A Radio sale conference will be held at the Pea body here, Wednesday and Thursday This will be the third of a series o conferences, the first of which wa held in New York and the second i Chicago. A fourth meeting may b held in the west, dependent on whethe Jules Levy, Radio general sales man ager, completes plans for a studio visi

Managers' Party Draws

WASHINGTON, Feb. 18.—A larg turn-out of theatre managers an operators of this zone crowded Clu Michel for the Managers' Roun Table party last night. Waiter Mor ris of the Metropolitan was in charg of arrangements.

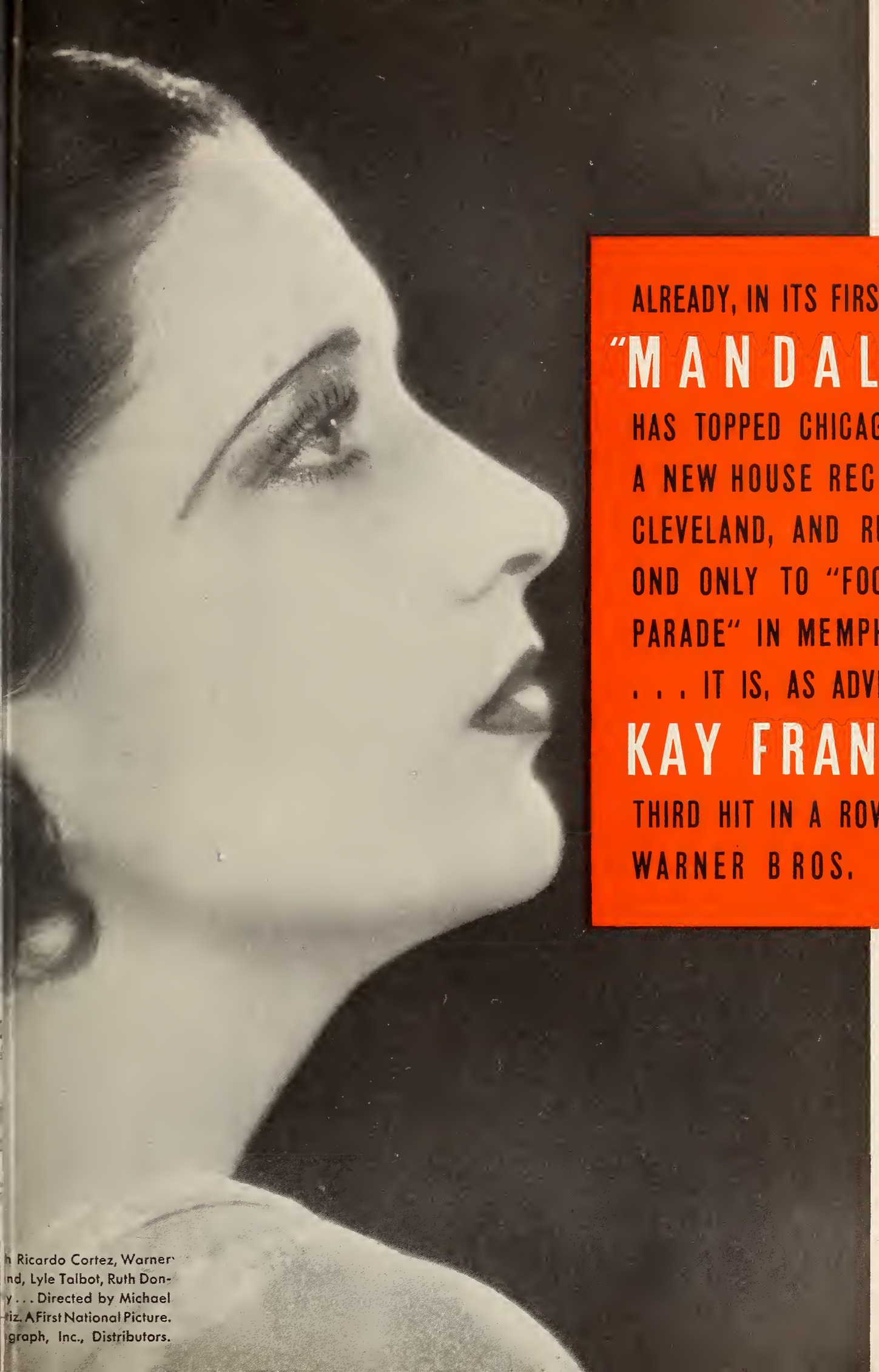
THE MAYFLOWER
61st STREET, (Central Park West)
New York City

CONVENIENT TO THE FILM AND THEATRICAL CENTER

1-2-3 Rooms. Full Hotel Service
FURNISHED OR UNFURNISHED
By the Year, Month or Day

Serving Pantries
Electric Refrigeration

JOHN W. HEATH, *Manager*



ALREADY, IN ITS FIRST WEEK

"MANDALAY"

HAS TOPPED CHICAGO, SET A NEW HOUSE RECORD IN CLEVELAND, AND RUN SECOND ONLY TO "FOOTLIGHT PARADE" IN MEMPHIS . . .

. . . IT IS, AS ADVERTISED

KAY FRANCIS'

THIRD HIT IN A ROW FROM WARNER BROS. . . . .

h Ricardo Cortez, Warner
nd, Lyle Talbot, Ruth Don-
y . . . Directed by Michael
iz. A First National Picture.
graph, Inc., Distributors.



It's GR

"GABLE AND C
BETTER. SEE IT."

"A SWELL ALL
PICTURE."

"POSITIVELY SW
THING KEEP YOU

"HEADED TO DO T

"COLBERT WAS
MISS IT—DON'T E

"GAY ENTERTAIN

"PACKED WITH LA
REAL BOX-OFFICE

"ACE ENTERTAIN
HANDSOME PROFI

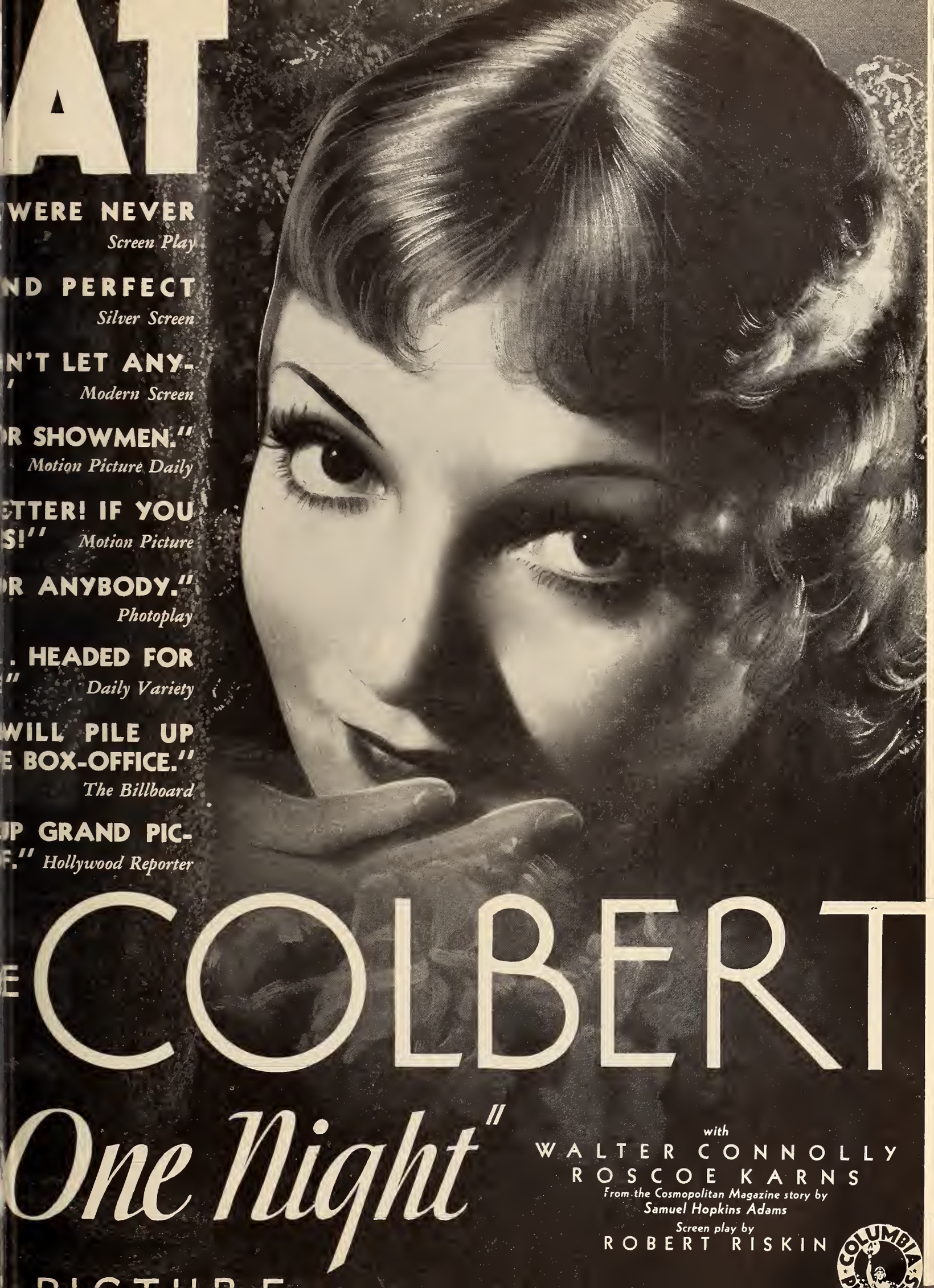
"ANOTHER SWELL
TURE . . . GRAB THI

CLARK GABLE CLAU

A FRANK CAPRA PRODUCTION

Directed by the man who created
"LADY FOR A DAY"

"It Happene


AT
WERE NEVER
Screen Play
ND PERFECT
Silver Screen
N'T LET ANY-
Modern Screen
R SHOWMEN."
Motion Picture Daily
TTER! IF YOU
S!" Motion Picture
R ANYBODY."
Photoplay
. HEADED FOR
" Daily Variety
WILL PILE UP
E BOX-OFFICE."
The Billboard
P GRAND PIC-
F." Hollywood Reporter
E COLBERT
One Night"
with
WALTER CONNOLLY
ROSCOE KARNS
From the Cosmopolitan Magazine story by
Samuel Hopkins Adams
Screen play by
ROBERT RISKIN
COLUMBIA

Personnel of 42 Boards as Officially Set

(*Continued from page* 1)

3. Ike Libson, RKO.
4. J. Real Neth, Columbus.
5. Frank W. Huss, Jr., Cincinnati; W. A. Keyes, Dayton, O.

Dallas

Grievance

1. L. R. Bickell, M-G-M.
2. Claude Ezell, Monogram.
3. Karl Hoblitzelle, Interstate-Paramount.
4. Roy L. Walker, Lampassus, Tex.

Clearance and Zoning

1. C. E. Hilgers, Fox.
2. E. S. Olsmith, Universal.
3. R. J. O'Donnell, Interstate-Paramount.
4. Harold Robb, Dallas.
5. Paul Scott, Dallas; L. C. Tidball, Fort Worth.

Denver

Grievance

1. Earl Bell, Warners.
2. Jack Langan, Universal.
3. L. J. Finske, Paramount.
4. Burns Ellison, Denver.

Clearance and Zoning

1. Joe F. Ashby, RKO.
2. Wayne Ball, Columbia.
3. Rick Ricketson, Fox Rocky Mountain Theatres.
4. H. E. Huffman, General Theatres, Inc., Denver.
5. Harry A. Goodridge, Denver; Ed J. Schulte, Casper, Wyo.

Des Moines

Grievance

1. E. J. Tilton, Warners.
2. Louis Patz, Universal.
3. H. J. Cavanaugh, RKO Theatres.
4. Cliff L. Niles, Ahamosa, Ia.

Clearance and Zoning

1. B. J. McCarthy, RKO.
2. Joseph Levy, Columbia.
3. A. H. Blank, Tri-State-Paramount.
4. Ed Ellsworth, Iowa Falls.
5. Julius Geertz, Davenport; Abe Frankel, Des Moines.

Detroit

Grievance

1. Fred North, Warners.
2. Sam Seplowin, Monogram.
3. Ed C. Beatty, Butterfield Circuit.
4. Ed E. Kirshner, Detroit.

Impartial Member — Kenneth C. Weber, attorney.

Clearance and Zoning

1. Nat Levy, RKO.
2. Carl Shalit, Columbia.
3. George W. Trendle, Paramount.
4. James Minter, Owasso, Mich.
5. James C. Ritter, Detroit; Allan Johnson, Grand Rapids.

Impartial Member—H. A. Harrington, secretary, Arbitration Committee, Detroit Board of Commerce.

Indianapolis

Grievance

1. J. Harold Stevens, Paramount.
2. Floyd Brown, Universal.
3. I. M. Halperin, Indiana Theatre.
4. Charles Olson, Indianapolis.

Clearance and Zoning

1. George Landis, Fox.
2. Marty Solomon, Columbia.
3. Jack Flex, Loew's.
4. Kenneth Collins.
5. M. Marcus, Fort Wayne; A. C. Zaring, Indianapolis.

Kansas City

Grievance

1. Ward Scott, Fox.
2. Bennie Benjamin, Universal.
3. Lawrence Lehman, RKO.
4. Jay Means, president, KMTA, Kansas City.

Clearance and Zoning

1. Ralph Libeau, Paramount.
2. Harry Taylor, Columbia.
3. Elmer C. Rhoden, Fox Midwest.
4. Peck Baker, Kansas City, Kans.
5. Fred M. Meyn, Kansas City; E. E. Webber, Kansas City.

Los Angeles

Grievance

1. Jake Milstein, M-G-M.
2. Howard Stubbins, Monogram.
3. Lou Halper, Warners.
4. Ben Berinstein, Pasadena.

Clearance and Zoning

1. Carroll Peacock, Paramount.
2. William C. Ritter, Columbia.
3. Jack Sullivan, Fox West Coast.
4. Russell Rogers, Los Angeles.
5. Harry Hicks, George Hanes, Los Angeles.

Memphis

Grievance

1. T. W. Young, Fox.
2. James Rogers, Columbia.
3. M. A. Lightman, Paramount (Malco Theatres).
4. William Ruffin, Covington, Tenn.

Clearance and Zoning

1. Frank Wilingham, M-G-M.
2. W. E. Sipe, Universal.
3. Howard Waugh, Warners.
4. Sidney Nutt, Hot Springs.
5. T. W. Sharp, Little Rock; A. J. Suzore, Memphis.

Minneapolis

Grievance

1. Moe Levy, Fox.
2. Max Stahl, United Artists.
3. Emil Frank, RKO.
4. Joseph Friedman, St. Paul.

Clearance and Zoning

1. Leo Blank, Warners.
2. B. C. Marcus, Columbia.
3. John J. Friedl, Paramount.
4. Jack Haywood, North Richmond, Wis.
5. O. A. Lee, Minneapolis; Fred V. Holzapfel, Minneapolis.

New Haven

Grievance

1. Nathan Furst, Warners.
2. E. Rogovin, Columbia.
3. George Cruzen, Paramount.
4. J. B. Fishman, New Haven.

Clearance and Zoning

1. A. M. Kane, Paramount.
2. Morris Joseph, Universal.
3. I. J. Hoffman, Warners.
4. Arthur Lockwood, Middletown.
5. Adolph Johnson, New Haven; Martin Kelleher, Hartford.

New Orleans

Grievance

1. Guy Brown, RKO.
2. Houston Duvall, Columbia.
3. Norman Carter, Saenger Theatres.
4. Bert Kiern, New Orleans.

Impartial Member — Herbert J. Schwartz, president, Maison Blanche (department store).

Clearance and Zoning

1. Luke S. Connor, Warners.
2. Paul Tessier, Universal.
3. Rodney Toups, Loew's.
4. Harry McLeod, New Orleans.
5. Joseph Alsina, New Orleans; Joseph Barcelona, Baton Rouge.

Impartial Member—W. H. Alexander, president, L. Fiebleman Co. (department store).

Oklahoma City

Grievance

1. Otto Rode, Warners.
2. Sol Davis, Monogram.
3. R. M. Clark, Oklahoma City.
4. Fred Pickrel, Ponca City.

Impartial Member—Judge Albert C. Hunt, former chief justice, Oklahoma Supreme Court.

Clearance and Zoning

1. F. A. Higdon, Fox.
2. L. F. Stocker, Columbia.
3. Pat McGee, Paramount.
4. Ralph Talbot, Tulsa.
5. M. Lowenstein, Oklahoma City; W. P. Morgan, Tulsa.

Impartial Member—F. C. Morey, vice-president, Tradesman National Bank, Oklahoma City.

Omaha

Grievance

1. A. Mendenhall, Paramount.
2. Jerry Spandeau, Universal.
3. Will Singer, RKO.
4. Walter Creal, Omaha.

Clearance and Zoning

1. A. N. Avery, RKO.
2. D. V. McLucas, United Artists.
3. Ralph Branton, Tri-State—Paramount.
4. H. F. Kennedy, Broken Bow, Neb.
5. C. E. Williams, Omaha; Sam Epstein, Omaha.

Pittsburgh

Grievance

1. Ben Kalmenson, Warners.
2. B. M. Stearn, United Artists.
3. M. J. Cullen, Loew's.
4. Dr. C. E. Herman, Carnegie.

Clearance and Zoning

1. J. J. Maloney, M-G-M.
2.—James Alexander, Monogram.
3. Harry M. Kalmine, Warners.
4. Frank Harris, Harris Amusement, Pittsburgh.
5. Alex S. Moore, Pittsburgh; Joseph Weiss, McKeesport.

[Editor's Note—Ben Kalmenson has been transferred to the Warner theatre department in Pittsburgh. Charles Rich, former salesmen in Washington, succeeds him as branch manager. This probably will mean a change in this board.]

Portland, Ore.

Grievance

1. C. F. Powers, Fox.
2. Howard Mapes, Star Film.
3. J. J. Parker, United Artists.
4. Guy Matthews, The Dalles, Pre.

Clearance and Zoning

1. Louis Amacher, M-G-M.
2. James C. Beals, Columbia.
3. Al Finkelstein, Evergreen Circuit.
4. Andrew Sasso, Portland.
5. George Jackson, Portland; William Cutts, Portland.

St. Louis

Grievance

1. B. B. Reingold, Fox.
2. Barney Rosenthal, Premiere Pictures.
3. Leto Hill, St. Louis Amuseme Co. (Warner).
4. Louis Ansell, St. Louis.

Clearance and Zoning

1. Maurice Schweitzer, Paramou
2. Clarence D. Hill, Columbia.
3. Harold W. Evans, Loew's.
4. Clarence Turley, St. Louis.
5. Fred Wehrenberg, St. Louis; J. Kaiman, St. Louis.

Salt Lake City

Grievance

1. T. J. Walsh, RKO.
2. Irving Schlank, United Artis
3. Harry David, Louis Marcu Paramount.
4. C. E. Huish, Eureka, Utah.

Clearance and Zoning

1. Charles L. Walter, Fox.
2. Jack Rue, Universal.
3. Lou Marcus, Paramount.
4. B. F. Thatcher, Logan.
5. Joseph Lawrence, Salt Lak John Gillette, Toole, Utah.

Seattle

Grievance

1. Neal East, Paramount.
2. L. N. Walton, Columbia.
3. Al Rosenberg, Evergreen Circu
4. John Hamrick, Blue Mouse Th atre, Seattle.

Clearance and Zoning

1. Ed. Lamb, RKO.
2. L. J. McGinley, Universal.
3. Frank Newman, Fox We Coast-Evergreen.
4. J. G. Von Herberg, Seattle.
5. George Endert, Seattle; Jol Danz, Seattle.

German Productio Under Gov't Thum

BERLIN, Feb. 18.—German pictur came completely under the dictati of the propaganda ministry yesterd with the passage of a measure auth izing the ministry to censor or ve scripts prior to their being placed production.

"Hitherto, film censorship has be negative," the authorizing ord stated. "Hereafter, the new state w assume entire responsibility for fi production. Only by intensive advi and supervision can films runni contrary to the spirit of the times kept off the screen."

Austria Is Quieting; Theatres Reopenin

Theatre in Vienna and suburbs we prepared to reopen over the week e while houses in other principal citi of Austria were in operation Frid night, home office foreign departmer here were advised by cable on Sat day. Virtually every theatre in A tria was reported closed last week the height of the Socialist rebelli and a number of Vienna theatres we said to have been damaged by machi gun fire and vandalism.

Vienna is still under martial l but is rapidly resuming normal acti ties, according to the cabled repor

To Probe Free Shows

Charles L. O'Reilly, Ed Kuyke dall and S. R. Kent have been a pointed a committee to investiga complaint of the Park, Newburg N. Y., against free shows at t Armory in that city. The three m will take their findings to the CW which is operating the free sho house.

—and again UNIVERSAL NEWSREEL scoops the field!

—This time with the first showing of the sensational riots in the heart of Paris!

SIX SCOOPS IN A ROW!



42 Boards, 20 Shy of Goal, Are Set Up

(*Continued from page* 1)

tion Committee of the Detroit Board of Commerce, on clearance and zoning.

In New Orleans, Herbert J. Schwartz, president of Maison Blanche, will act on grievances, and W. H. Alexander, president of L. Fiebelman Co., on clearance and zoning.

In Oklahoma City, Judge Albert C. Hunt, former chief justice of Oklahoma Supreme Court, is designated for grievances and F. C. Morey, vice-president of Tradesman National Bank, that city, for clearance and zoning.

10 More to Go

Territories yet to be set up are Albany, Atlanta, Boston, Chicago, Cleveland, Milwaukee, New York City, Philadelphia, San Francisco and Washington, D. C. Boards for these cities are expected to be completed this week, prior to the next meeting of Code Authority Feb. 26, when Ed Kuykendall will preside. The authority is expected to approve and announce the 20 remaining boards next Sunday. Additional impartial members also will be announced after the next session.

Confirming Motion Picture Daily's exclusive story of recent date is the official announcement that only one secretary will act for both boards in each city. Total membership of the boards, therefore, will number 372 when completed.

Clearance and zoning boards will use the present schedules as a basis for new schedules, while complaints and suggestions for improvement should be submitted to local boards, Code Authority urged. Recommendations for changes are now being sought before schedules for the new selling season are printed.

Suit by Allied against the authority has again been postponed, this time until March 1. Argument will be heard before Judge Bondy in the U. S. District Court. While no word has been received, deadline on assents may be moved up as a result.

Protests against official names set-up by the authority will be taken under advisement by the body and, if changes are necessary, they will be made, it was stated yesterday. Secretaries will be appointed by the authority from recommendations received by the various boards.

Allied Owners in Another Court Suit

Allied Owners Corp., bankrupt theatre contracting concern, has been made defendant in a suit filed in Federal court, Brooklyn, to foreclose a first mortgage on the Paramount, Kings and Pitkin, in Brooklyn, the Valencia in Jamaica, and the Paramount, Birmingham. The theatres were constructed by Allied Owners under an agreement with Paramount Publix, which leased them.

The action was brought by Manufacturers' Trust Co., trustee for a bond issue of $9,127,500, in default since July 1, 1933. The bank contends in its complaint that $500,000 in taxes on the theatres are past due and unpaid.

Only Minor Changes Appear In Official Board Listings

(*Continued from page* 1)

grievance personnel. Los Angeles's clearance and zoning board was changed with George Hanes being put on in place of Robert D. Whitson. The same board for Memphis saw one change, Frank Willingham of M-G-M being moved off the "distributor without affiliation" listing for Page Baker of Radio. The grievance board of Salt Lake City was practically approved as written except for Henry David of the Marcus-Paramount circuit replacing Ray Hendry of Paramount.

As in the instance of Salt Lake City some names have been changed but the company affiliation remains the same. In other cases, independent exhibitors without affiliation have been switched around. In still other cases men have swapped positions on the two boards.

Other changes noted in the official release of approved names are as follows:

Buffalo—Sydney Samson, Fox, replaces Kenneth Robinson, Paramount, and Jules H. Michaels takes the place of Erwin Price on the grievance board. On the clearance and zoning, Ted O'Shea, M-G-M, replaces Samson, and Price succeeds Michaels.

Charlotte—Changes in the grievance board have Frank Bryan of Warners instead of J. J. Grady, Fox, and H. F. Kincey, Paramount, for Montgomery S. Hill, Paramount, Paul Rousseau has been named the impartial member of this board. He is secretary of the Merchants' Ass'n. The clearance and zoning board shifts have Hill for Kincey and W. H. Hendricks replacing Sam W. Carver. C. O. Quester, secretary, Charlotte Chamber of Commerce, is the impartial member of this board.

Cincinnati—John Elliott of Lexington, Ky., replaces Andy Hettesheimer on the grievance board. W. A. Keyes of Dayton succeeds R. E. Myers.

Des Moines—H. J. Cavanaugh, RKO, replaces Morgan Ames, RKO, and Cliff L. Niles of Ahasmosa, Ia., is in place of E. D. Ellsworth on the grievance set-up. A. H. Blank, Tri-State-Paramount, replaces Ralph Branton, Paramount, on the clearance and zoning. Ellsworth has been moved in for Tom Brown, and Julius Geertz of Davenport replaces Niles.

Detroit—Grievance board changes have Sam Seplowin, Monogram, replacing J. L. Saxe, Ed. C. Beatty definitely set as the affiliated member and Ed Kurshner appointed to the post formerly open. Kenneth C. Webber, attorney, is the impartial member. On zoning, Nat Levy, RKO, replaces J. E. Flynn, M-G-M. James Minter, Owasso, Mich., and Allan Jenkins, Grand Rapids, are named to posts formerly open. H. A. Harrington, secretary of the arbitration committee of the Detroit Board of Commerce, is the impartial member.

Indianapolis—Grievance change has I. M. Halperin in the post originally planned for Jack Flex. The latter, however, gets the open assignment on the clearance and zoning board, which also finds Kenneth Collins definitely appointed to the post in which he is opposing Halperin.

Kansas City—Bennie Benjamin, Universal moves out William Troug, U. A., on the grievance committee, and Peck Baker replaces Ed Dubinsky on the clearance and zoning.

Los Angeles—George Hanes takes the place of Robert D. Whitson on the clearance and zoning.

Minneapolis—Moe Levy, Fox, has ousted Jack Lorentz, Fox, and Emil Frank, RKO, gets the post originally open on the grievance. Jack Hayward, North Richmond, Wis., replaces Bennie Berger, Allied of N. W., on clearance and zoning.

New Haven—I. J. Hoffman is on the clearance and zoning board instead of his brother, B. E. Hoffman, Warners. Arthur Lockwood, Middletown, replaces Louis M. Sagal. Martin Kelleher of Hartford has been put on in place of Arthur H. Lockwood.

New Orleans—Guy Brown, RKO, replaces L. S. Conner, Warner; Norman Carter, Saenger, for Rodney Toups, Loew's; and Burt Kiern for W. J. Salles on grievance. Herbert J. Schwartz, president of Maison Blanche, is impartial member. On zoning, L. Conner, for C. J. Briant, M-G-M; Toups, for Maurice F. Barr, Saenger; Joseph Barcelona, Baton Rouge, for B. Kiern. W. H. Alexander, president of L. Fiebleman Co., is impartial member.

Oklahoma City—Sol Davis, Monogram, replaces Tom Benjamin, Amity, on grievance. Judge Albert C. Hunt, former chief justice of the Oklahoma Supreme Court, is impartial member. F. C. Morey, vice-president of Tradesman National Bank, this city, is impartial member of the clearance and zoning board.

Omaha—Will Singer, RKO, replaces Morgan Ames, RKO, on the grievance group, and H. F. Kennedy of Broken Bow, Neb., is on the clearance and zoning instead of Calvin Bard, Lincoln, Neb.

Pittsburgh—J. J. Maloney, M-G-M, replaces Harry Goldstein, Paramount; James Alexander, Monogram, is on instead of Joseph S. Skirball, Majestic, on clearance and zoning board.

Portland—Guy Matthews replaces Ted Gamble on grievances. Al Finkelstein, Evergreen Theatres, ousted Homer Gill, and William Cutts replaces Bob White on clearance and zoning.

St. Louis—B. B. Reingold, Fox, for Morris Schweitzer, Paramount, on grievances. Maurice Schweitzer, Paramount, for B. Reingold, and C. H. Kaiman for S. S. Pirtle on clearance and zoning.

Seattle—Al Rosenberg, Evergreen Theatres, replaces Albert Finkelstein on grievances. George Endert is on instead of Hugh Bruen and John Danz for L. O. Lukan on clearance and zoning.

Chalus Plans to Open U. S. Branch in N. Y.

(*Continued from page* 1)

Film Union, S. A., distributors of Radio pictures in France, Belgium and Switzerland, before embarking Saturday on the *Paris* for home after conferences here and on the coast on the new season's product. Valdemar D. Bell, Chalus's representative in the United States, will be temporarily in charge with the possibility he may remain permanently in the post.

The venture, it was said by Chalus, has no affiliation with Radio in any way.

F. and M. Expansion Plans Are in Making

Conferences were held all of the last week and will continue for the next few days between Mike Marco, Harry C. Arthur and Jack Partington in St. Louis on operations of F. & M. Talks pivot about the contemplated acquisition of six houses from Fox West Coast over which much trouble has arisen in the last few weeks.

Marco will return to the coast from St. Louis following the sessions while Arthur and Partington will head for New York. The circuit is slated to take over the Missouri in St. Louis shortly, but the Skouras deal may fall through with the FWC pact. F. & M. now operate the St. Louis and Fox in St. Louis.

Name 3 of Committee

Marcus Heiman, William C. Elliott, and Frank Gillmore have been named by the legitimate theatre Code Authority to act as a committee of three in conjunction with O'Reilly, Kuykendall and Kent on free radio shows. The Radio Code Authority has not yet named its trio. Eighty-five thousand attend free radio shows in 18 cities weekly, it is stated by Film Code Authority.

Station WMCA is latest local outlet to seek a theatre.

Kansas City Faces Brutal Price Wa

(*Continued from page* 1)

two first run features, beginning n Friday.

One of the direct results, it is ported, will be action by Fox Midw to meet the competitive situation. T circuit recently informed independ suburbans that, unless they institu regulatory measures, it would cut 40-cent top at the first-run Uptown 25 cents and inaugurate double billi Also, that it would slice the price the Plaza, on a mixed policy of fi and first suburban runs, from 25 ce to 15 cents, plus double bills. Chan in policy at Fox theatres are expe directly.

"U" Sales Meetings Held at Two Poin

Kansas City, Feb. 18.—E. Gomersall, Universal western sa manager, concluded a sales confere here yesterday at which sales exp ences with current season's prod and suggestions for next season w invited. The conference follows s gestions made by Carl Laemmle J. R. Grainger, general sales manag at a meeting with home office eastern sales executives in New Y last week.

Attending yesterday's meeting h were Edward S. Olsmith, Da branch manager; R. I. Payne, Ok homa City; William Benjamin, K sas City; Louis Patz, Des Moin J. E. Garrison and John Rue, S Lake City, and J. J. Spandau, Oma

Gomersall met with mid-west representatives at Chicago Friday.

Washington, Feb. 18.—Sig W man, Universal eastern district m ager, met here today with Edw Heiber, branch manager, with sa representatives on product perfo ances this season and plans for n year. Wittman confers with M. Landow, Philadelphia branch manag tomorrow. Yesterday he conferred Pittsburgh with A. Barnett, bra manager there; Dave Miller, Buffa Saul Reznick, Cleveland, and P Krieger, Cincinnati.



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The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

OL. 35. NO. 42 NEW YORK, TUESDAY, FEBRUARY 20, 1934 TEN CENTS

Exhibitors in K. C. Agree to End Price War

ote to Ban Giveaways And Other Practices

Kansas City, Mo., Feb. 19.—At a y-wide exhibitors' meeting today, was voted to meet the demands of wntown houses and eliminate price asions which caused Sam Dembow Paramount to declare a price war re. It was decided at the gather-g, which was called by Jay Means, T. O. head, to abandon all kinds of veaways, two-for-ones, passes, cou-ns. lotteries, 10-cent nights and nilar practices.

Doubles, it was decided, should be

(Continued on page 6)

ukor, Hays Called In Rembusch Trial

Adolph Zukor and Will H. Hays e scheduled to take the stand today the trial of the $2,000,000 anti-ust suit brought against major com-nies and the M. P. P. D. A. by rank Rembusch, former Indianapolis hibitor, now in its second week of ial before Federal Judge Alfred M. oxe here. Defense attorneys have nsented to produce the two as wit-sses.

The trial yesterday was high-ghted by the reminiscences of Ivan

(Continued on page 7)

t. Louis Decision Goes to Operators

St. Louis, Feb. 19.—Dr. William . Patton, neutral arbitrator in the perators' wage dispute, has decided favor of the union, and has made s ruling retroactive to Sept. 1, al-ough the code did not become effec-ce until Dec. 7.

Under this decision wages of two perators in each of 32 independent

(Continued on page 7)

reel Takes Hand For Studio Labor

Hollywood, Feb. 19.—Climaxing a eries of complaints from studio nions and organized extra groups, harging inactivity by the recently ap-ointed Studio Labor Board, George

(Continued on page 7)

Who? What? When?

THE code, what it will be and what happens to it, is largely in the hands of the men who make up grievance and clearance and zoning boards.

Who are they? What have they done? What's their experience?

Motion Picture Daily *answers the questions, beginning today, in an historical series that throws the spotlight on Code Authority representatives who, from this point on, will administer the code in their territories.*

Los Angeles, Minneapolis and Seattle are covered in the opening instalment. Others will follow daily until the entire country is blanketed.

KANN

Los Angeles, Feb. 19.—J. J. ("Jake") Milstein, representing affiliated national distributors on grievances, is M-G-M's manager here and has held that post since Jan. 2, 1928. Born in Denver in 1897, he was educated at the Denver High School and Denver University. His war record includes service with the coast artillery, New York, during the World War.

Milstein entered films as an inspector for Vitagraph, successively becoming booker and salesman, the latter job first getting under way with Fox. He opened the Pittsburgh branch for Associated Producers and the Washington office for American Releasing Corp. First joining M-G-M as a Baltimore salesman on May 3, 1926, Milstein went to a coast convention in 1927 and remained there an assistant to George Hickey until his appointment in charge of the office in 1928.

Howard Stubbins, representing unaffiliated distributors on grievances, is manager of the Monogram exchange here as well as part owner with Floyd St. John. He has been in the business 15 years and is one of the original Monogram franchise-holders.

Lou Halper, representing affiliated exhibitors on grievances, is general manager of the Warner circuit in Southern California. The company operates 12 theatres, two of which, the 900-seat Rose in Santa Barbara and the 2,400-seat Western between Hollywood and Beverly Hills, are currently dark. Halper's activities embrace the Beverly Hills, seating 1,611; the Hollywood, seating 2,800; Huntington Park, seating 1,500; Downtown, Los Angeles, seating 1,800; Forum, seating 1,800; Ritz, San Bernardino, seating 700; the San Pedro, seating 1,600; and the California, 900; Granada, 1,700, and Mission, 1,000, the latter three in Santa Barbara.

Ben Berinstein, representing unaffiliated exhibitors on grievances, is president of the Independent Theatre Owners Ass'n. of Southern California, which functions locally and with no national exhibitor affiliation although Berinstein's leanings are de-

(Continued on page 4)

Charges Wide Smoke Screen By Agitators

New Haven, Feb. 19.—Professional agitators are working behind a nation-wide smoke screen to impose political censorship on the industry, it was charged here today by Charles C. Pettijohn, general counsel for the M.P.P.D.A., before the New Haven Bar Ass'n. at the Yale Law School.

"The smoke screen," he declared, "is the alleged evil of block booking, a business practice passed upon by the courts, accepted with proper limitations in the industry code approved

(Continued on page 7)

Ohio Theatre Men Backing Unit to Full

Columbus, Feb. 19.—On the basis of a quick survey, there is greater enthusiasm and pledges of whole-hearted cooperation apparent in exhibitor ranks of the Independent Theatre Owners of Ohio, formally launched here late last week, than has been the case in any similar organization in recent years.

Secession of the independent faction from the Ohio M.P.T.O., and discontinuance of the Independent M. P. Exhibitors of Ohio, formed here in

(Continued on page 7)

Yamins Files Complaint On Board Choices

Insists All MPTOA Men Are "Affiliated"

Nathan Yamins, Code Authority member, has filed a brief with that body protesting the method followed in selecting members of local clearance and zoning and grievance boards, contending that independent factions have insufficient representation on the boards, it was learned yesterday.

Yamins' brief suggests that a distinct division should be drawn between M.P.T.O.A. members who are named to the boards and "independents," and asked that nominees approved as qualified independents be placed on the boards in the same ratio as all other members of the boards combined. The brief maintained that grievance boards should contain two "qualified" independents as against

(Continued on page 6)

Telegrams Pour in On Board Choices

About 50 telegrams of congratulations were received yesterday by Code Authority members who have been working on compilation of clearance and zoning and grievance boards lists. The wires were received from various parts of the country, despite the fact that publication of the names was limited to New York. Here's what accounts for the out-of-town messages:

Upon official release of the 42 boards yesterday by Code Authority,

(Continued on page 6)

Code Assents Total Is Placed at 7,512

Unqualified assents received by Code Authority in the last four days totaled 35, bringing the former figure of 7,477 to 7,512. The sum total expected at expiration of the time limit is more than 8,000. Last day for mailing compliance is Feb. 28.

Hearings on Today On Alien Talent Bill

Washington, Feb. 19.—Hearings will open tomorrow before the House Immigration Committee on legislation introduced by Representative Dick-

(Continued on page 2)

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Joe Weber at Cheese

Joe Weber of Weber and Fields fame will review his career on the stage as the principal speaker at the Broadway Cheese Club luncheon today at Leone's Restaurant. Also on the program are Bob Ripley and Edward Marks, the music publisher. Harry Hershfield will preside.

Canzoneri May Go Films

Tony Canzoneri leaves for the coast Friday and will mull over several film offers made to him through his agent, Joe Rivkin of the Leo Morrison office. Rivkin is also handling Max Baer, another fisticuffer.

"Bar" in Trouble in Va.

RICHMOND, Feb. 19.—First National's "Wonder Bar" has felt the censors' shears here and is being denied a license in this state pending a clean bill of health.

Elliott to Coast

William C. Elliott, president of the I. A. T. S. E., leaves for Hollywood tomorrow for conferences with various labor officials.

Keaton Finishes First

Buster Keaton has just completed his first short for Educational and starts on his second in three weeks.

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Hearings on Today On Alien Talent Bill

(*Continued from page 1*)

stein of New York to admit foreign actors to this country under an amendment to the immigration law applying the contract labor provisions to such persons.

It is claimed by Dickstein that the change in the law will not remove protection from American artists, nor will impose any serious restrictions upon producers seeking foreign talent.

It was pointed out that under the proposed legislation employers would be required to convince only the Department of Labor of the need for foreign talent and would not, as at present, have to convince consuls abroad, who now control the entry of foreign actors and musicians. Regulations are provided that foreign talent may be imported only if labor of a like kind cannot be had in this country and that such persons shall be considered actors only if of "distinguished merit and ability" or if their engagement is of a character where "superior talent" is required.

Representatives of producers, actors and dramatists are to appear at the hearing, including Charles Pettijohn of the Hays organization; Frank Gillmore, head of Actors Equity, Marc Connolly and Irene C. Crisp.

Gomersall Promises Full "U" Schedule

KANSAS CITY, Feb. 19.—Universal will deliver its full list of 36 features promised for this year, declared E. T. Gomersall, western division manager, at a meeting of district and branch managers here.

Gomersall said the meeting was called to discuss the balance of this season's list.

Among those present were: W. J. Heinemann, west coast division manager; Harry Graham, southwest division manager, and the following branch managers: William Benjamin, Kansas City; Louis Patz, Des Moines; J. J. Spandau, Omaha; J. E. Garrison, St. Louis; R. I. Payne, Oklahoma City; Edward S. Olsmith, Dallas, and E. E. Gruenberg, Sioux Falls.

Goldwyn to Harvard

Cambridge, Feb. 19.—Samuel Goldwyn will come here by plane Wednesday to be the luncheon guest of Prof. Georges F. Dariot, dean of the Graduate Business School of Harvard, and to meet the faculty. He will discuss industry problems.

Flash Previews

"Registered Nurse"
(Warners)

HOLLYWOOD, Feb. 19.—Neat direction, casting and tempered performances fortify "Registered Nurse" with plenty of interest. The picture is human, sincere.

"Harold Teen"
(Warners)

HOLLYWOOD, Feb. 19.—Mildly amusing, has some gay scenes, and may please followers of the cartoon strip.

Reviews of these films will appear in full in a later issue of MOTION PICTURE DAILY.

"Shadows of Sing Sing," yesterday's opener at the Mayfair, was reviewed Feb. 13.

Berman Now in Charge

HOLLYWOOD, Feb. 19.—Pandro Berman will remain in charge of all production at Radio during the absence of Merian Cooper, who is returning to the studio as vice-president in charge of production. On Cooper's return, it is announced, Berman will act merely in an advisory capacity, centering attention on his own units.

Hit Arbitration

DOVER, Del., Feb. 19.—The principal argument advanced by Vitaphone for the right to continue its litigation against Erpi in court, as against arbitration, is the claim that arbitration has broken down and the court offers its only recourse.

Batcheller Coming

HOLLYWOOD, Feb. 19. — George Batcheller, head of Chesterfield Productions, will start east Friday.

Stocks on Big Board Slip

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	25¼	25¼	25¼	— ¼	500
Consolidated Film Industries	5½	5¼	5¼	— ¼	1,500
Consolidated Film Industries, pfd	17¼	16⅝	16⅝	— ⅛	1,600
Eastman Kodak	93	92	92	—1¾	400
Fox Film "A"	17	16⅜	16½	— ⅜	1,000
Loew's, Inc.	33¾	32¼	32⅞	— ⅜	16,700
M-G-M, pfd.	24⅞	24⅞	24⅞	.....	100
Paramount, cts.	5¾	5	5⅛	— ½	29,100
Pathe Exchange	3½	3	3⅜	— ⅜	6,700
Pathe Exchange "A"	17⅞	16½	16⅝	—1¾	2,600
RKO	4⅛	3⅞	3⅞	— ¼	23,200
Warner Bros.	7⅝	7¼	7¼	— ¼	10,200

Technicolor Drops ½ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	9⅞	9½	9½	— ½	500

RKO Bonds Slump 4 Points

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	13	11¼	11¼	— ¼	112
General Theatre Equipment 6s '40, ctf	11¾	10⅝	10⅝	— ⅛	55
Keith B. F. 6s '46	62½	60½	62½	+1	6
Loew's 6s '41, ww deb rights	96¾	96½	96½	.....	4
Paramount Broadway 5½s '51	37	37	37	.....	5
Paramount F. L. 6s '47	48	48	48	— ¼	7
Paramount Publix 5½s '50	49½	48	48	—1⅛	26
RKO 6s '41, pp	34½	34	34	—4	2
Warner Bros. 6s '39, wd	59	58	58	— ¾	20

Para. Bondholders Get New Concessio

A ruling by which Paramount Pul lix bondholders who failed to fi claims against the bankrupt esta within the specified time limit, whic expired last Sept. 1, may have the bond claims included under a blank claim of the Chase National Bank, a trustee, for the full amount of bo bond issues, has been made by Refer Henry K. Davis.

The Chase Bank as trustee for t two bond issues aggregating more tha $25,000,000 filed claims against Par mount Publix for that amount pl more than $1,000,000 in defaulted i terest. Individual claims of bon holders aggregating approximate $24,168,000 had been filed up to Se 1. Referee Davis's ruling permits t unfiled individual claims amounting $1,682,000 to remain as part of t blanket claim filed by the Chase Ban

No Decision Yet on Two Para. Partner

No decision on the next meeting Paramount theatre operating partne has been reached yet. Ralph Kohn, head of the theatre departme said yesterday following his retu from the meeting of western partne held at Des Moines last week.

Two meetings are yet to be hel one of New England partners, pro ably at Boston, and another of mi western partners, which may be he in Chicago. The first of the two me ings will be called within the next t weeks. Each is to elect a territor partner to the Paramount national t atre advisory committee of six, whi already includes E. V. Richar south; Karl Hoblitzelle, southwe A. H. Blank, west, and N. L. Natha son, Canada.

Para. Boosts Lange And Nathan Abroa

Fred W. Lange, who has been ma aging director for Paramount in A gentina for the last seven years, h been advanced by the company to t post left vacant by the resignation I. Blumenthal as general distributi manager in continental Europe. Lan is now on his way to Paris to a sume his new duties. He will succeeded by John B. Nathan, fo merly Paramount's general manag in Central America and the northe republics of South America.

Another change announced by Jo W. Hicks, Jr., vice-president of Par mount International Corp., from Pa by cable is the resignation of Ga Schwartz, who has been in charge the laboratory at Paramount's Joi ville studio.

Paramount Against Return of Striker

Paramount will refuse to re-empl 17 ushers involved in the strike at t Paramount, Stapleton, S. I., on t grounds that the walk-out constitut an infraction of a code provision und which labor agrees to submit its di pute to arbitration before calling strike, Charles C. Levey, secretar treasurer of Local 118, Building Ser ice Employes Union, was advised ye terday by Louis Phillips of the Par mount legal staff. Levey said h would petition the Regional Lab Board for further relief.

THE GREATEST

BOOM

IN FLORIDA HISTORY WAS

MIAMI'S

THUNDERING SALUTE TO THE

PUBLICITY PREMIERE OF

WONDER BAR

AT SPARKS' COMMUNITY THEATRE

SUNDAY

IN PREPARATION FOR THE SELECTED

EASTER WEEK ENGAGEMENTS OF

WARNER BROS.'

"SOLID GOLD ENTERTAINMENT"

(M. P. Herald, Feb. 17th)

A First National Picture Vitagraph, Inc., Distributors

(*Continued from page* 1)

cidedly M.P.T.O.A. He was active during code formulation in Washington and, in general, voted on many issues with M.P.T.O.A. men like Ed Kuykendall of Mississippi and Fred S. Meyer of Wisconsin. Berinstein's theatres include the Tower, Los Angeles, seating 906; the Beverly, Beverly Hills, seating 1,270, and the Sunbeam, Compton, seating 1,296.

CARROLL N. PEACOCK, representing affiliated distributors on clearance and zoning, was born in Springfield, O., on July 4, 1886, and once owned and operated a stage line between Santa Ana and Laguna Beach, right here on native heath. He joined Paramount on Jan. 2, 1919, in the local exchange as assistant shipper and subsequently filled the following posts: head shipper, salesman, sales manager. In January, 1923, he was made branch manager at Oklahoma City. On Oct. 1, 1932, he was promoted to his present post, manager of the local Paramount exchange.

WILLIAM C. RITTER, representing unaffiliated distributors on clearance and zoning, began his association with Columbia on Dec. 31, 1928, as a salesman and became a branch manager on Oct. 14, 1929. Currently, he is in charge of his company's exchange here.

JACK SULLIVAN, representing affiliated first runs on clearance and zoning, is a film veteran. He first got his start with Fox in Seattle as a salesman, later becoming manager in Butte and Minneapolis and then returning to Seattle as manager. Subsequently, a transfer took him to Los Angeles as branch manager, a post he occupied for some time and until he was appointed chief film buyer for Fox West Coast. Today, Sullivan continues as buyer, but shares the job with E. L. Alperson and confines his purchases to Fox West Coast theatres along the Pacific seaboard. Today the total number is around 350.

RUSSELL ROGERS, representing unaffiliated first runs on clearance and zoning, is general manager of Pacific National Theatres which headquarters here. The company operates nine houses along the coast from Los Angeles south to San Diego. The string includes the Nilo, Bakersfield, seating 1,096; the Seville, Chula Vista, seating 500; Palace, Long Beach, seating 850; and these in San Diego: the Aztec, seating 650; Mission, seating 800; Plaza, seating 750, and Superb, seating 900. He is a member of the Independent Theatre Owners Ass'n. of Southern California.

HARRY HICKS, representing unaffiliated subsequent runs on clearance and zoning, is owner of the Arlington and the Gem, Los Angeles. The Arlington seats 860 and the Gem, 573. He is a member of the board of the Independent Theatre Owners Ass'n. of Southern California.

GEORGE HANES, second exhibitor representing unaffiliated subsequent runs on clearance and zoning, is the owner of the Park, Pasadena. The house seats 760.

MINNEAPOLIS, Feb. 19.—M. A. ("MOE") LEVY, representing affiliated national distributors on grievances, took charge of the local Fox office today, having been transferred here from Chicago where he was branch manager under Clyde Eckhardt. Levy started with Fox on Oct. 3, 1921, as a salesman in the Windy City and was transferred to the home office on Dec. 23, 1922. He made his bow as a branch manager in Charlotte on Jan. 13, 1923, and later was given Kansas City (May 5, 1932), Omaha (Aug. 16, 1925), Minneapolis (April 30, 1927) and Chicago (May 9, 1931).

MAX STAHL, representing unaffiliated distributors on grievances, is in charge for United Artists here, having joined the company in that capacity on Aug. 15, 1932. He has been in the industry almost since its inception and includes in his experience a selling post with Educational.

EMIL FRANK, representing affiliated exhibitors on grievances, is manager of the Hennepin-Orpheum here, which is now operated by the Mort H. Singer Amusement Enterprises, of which RKO is one-third owner. The house seats 2,600.

JOSEPH FRIEDMAN, representing unaffiliated exhibitors on grievances, operates the 750-seat Strand, St. Paul, and is a member of Allied of the Northwest.

LEO BLANK, representing affiliated national distributors on clearance and zoning, was a First National salesman in Omaha and Des Moines from 1921 to 1925. From that year until 1931, he was branch manager for Educational in Omaha and the same year assumed similar duties here for Warners. This is his current post.

BEN C. MARCUS, representing unaffiliated distributors on clearance and zoning, was a salesman and assistant branch manager for RKO from 1925 to 1927 and started with Columbia as a branch manager on Nov. 5, 1927. Currently, he is in charge for that company here.

JOHN J. FRIEDL, representing affiliated first runs on clearance and zoning, has had a long association with Publix in various capacities. He was at one time divisional director for the southeast and southwest in the days, prior to the Paramount Publix bankruptcy when the company maintained circuit control out of New York. He once handled the Publix de luxe first runs in the southwest under Milton H. Feld. Now, he is operator of the Minnesota Amusement Co., local corporation which grew out of the Paramount bankruptcy, under the receiver, the Hamm family. The company operates the former Finkelstein and Ruben circuit and numbers about 100 theatres in its fold.

JACK HAYWOOD, representing unaffiliated first runs on clearance and zoning, operates the Gem, a 400-seat theatre in New Richmond, Wis., a town with a population of 2,112. He belongs to no exhibitor association. Code Authority listed his town as North Richmond.

O. A. LEE, representing unaffiliated subsequent runs on clearance and zoning, operates the 597-seat Leola here and is a member of Allied of the Northwest.

FRED V. HOLZAPFEL, second exhibitor representing unaffiliated subsequent runs on clearance and zoning, runs the Broadway, seating 550. The house is in Minneapolis. He is a member of Allied of the Northwest.

SEATTLE, Feb. 19.—NEIL EAST, representing affiliated national distributors on grievances, has been in the industry for about 18 years. He started as exhibitor in 1916 and three years later went in the equipment end of the industry to finally become vice-president and secretary of the Service Film Supply Co. of Portland. Eighteen months later, he returned to theatre operation, as owner and operator of the Liberty at St. Helens, Ore. Joining Paramount as a salesman out of Portland in 1921, he was promoted to a branch managership there in May, 1924. In 1928, he was transferred to his present post as manager in Seattle.

L. N. WALTON, representing unaffiliated distributors on grievances, includes in his film experience jobs with Universal and Greater Features. At one time, he was also a salesman for Fox. This was from July, 1928 to October, 1929. Walton joined Columbia as a branch manager on Oct. 7, 1929 and now is in charge of the company's exchange here.

AL ROSENBERG, representing affiliated theatres on grievances, is now identified with the Evergreen Circuit in which Fox West Coast holds an interest. For years, he has been identified with theatre operation on the Pacific Coast and, at one time, operated his own theatres in Seattle, Tacoma, Portland and Bellingham. He sold to West Coast, prior to its acquisition with Fox, and remained as a district manager. Evergreen is an outgrowth of the bankruptcy into which Fox West Coast theatres in this section found themselves sometime ago.

JOHN HAMRICK, representing unaffiliated theatres on grievances, is president of the Hamrick theatre circuit with headquarters here. The company operates the 950-seat Music Box and the 950-seat Blue Mouse here, as well as the Blue Mouse theatres in Tacoma and Portland, Ore. A member of Allied Amusements of the Pacific Northwest, Hamrick is an old-time showman and one of the best known in these parts.

ED LAMB, representing affiliated national distributors on clearance and zoning, began his film career as a salesman in Seattle on Dec. 15, 1924 and a booker here about six months later. He became a branch manager for RKO in Portland, Ore., on Jan. 14, 1929 and a branch manager in Seattle on Oct. 6, 1930, where he has been ever since that date.

L. J. MCGINLEY, representing unaffiliated distributors on clearance and zoning, was born Dec. 25, 1893 at New London, Conn. He studied medicine at New York University for one year, but left to enter the war, taking a course at a French officers' training school at Meaux Montereau. His film experience includes posts with Fox (1919-1920), Paramount (1921-1927) and Columbia (1928). He started with Universal on Nov. 1928 and now is branch manager that company here.

FRANK NEWMAN, representing filiated first runs on clearance a zoning, is one of the oldest and b known theatre operators in the bu ness. He was the builder of the Ne man, Kansas City, which later w sold to Publix. The house, when bu was regarded as one of the most be tiful in America. Later, he sold his interests in Kansas City a moved to California where he beca a division manager for Warner Th atres on the Pacific slope. Later, became affiliated with Skouras Br in the Pacific Northwest and, in bankruptcy split-up of that branch the Skouras activities, became asso ated with Al Rosenberg and Al F kelstein in Evergreen Theatres, current activity. Fox West Co still retains an interest in the hou once operated under its own name now flying the Evergreen banner.

JOHN VON HERBERG, represent unaffiliated first runs on clearance a zoning, is president of the Jensen a Von Herberg circuit, once a power the Pacific Northwest and one of original 26 First National franchi holders. After selling their intere to Pacific Northwest Theatres, I they passed out of the picture co pletely. Pacific Northwest took p session in August, 1926. When H old B. Franklin became president Fox West Coast, the former Jen and Von Herberg theatres, already part of Pacific Northwest, w merged into FWC together with C fornia holdings of North Ameri Theatres, in which Harry C. Artl was dominant factor at the time. cific Northwest ownership was s between Jeremiah Milbank, New Y financier, and a local Seattle group

In the last several years, howev Jensen and Von Herberg gradua have been turning active again in t territory, their old stamping grou although today they do not appro their one-time position of power. T atres in their fold currently incl the Liberty, seating 1,800; the Ro seating 2,275; the Bagdad, seating 800; the Venetian, seating 800, all Seattle and a number of houses small cities throughout the sta Von Herberg is a member of Alli Amusements of the Pacific Northwe The unit is not affiliated nationally

GEORGE ENDERT, second represen tive of unaffiliated subsequent runs clearance and zoning, is manager the Uptown here. The theatre s 750. He is a member of the Alli Amusements of the Pacific Northw an exhibitor unit minus national hibitor affiliation.

JOHN DANZ, representing unaf ated subsequent runs on clearance a zoning, is president of the Sterli Chain Theatres, headquarters he The company operates locally and cludes in its string the Roosevelt (7 seats), Winter Garden (616), Colon (700), Capitol (550), State (50 and Florence (400). Danz is ve well known in this territory whi has been the scene of his theatre a tivities for many years. He is a me ber of Allied Amusements of t Pacific Northwest. The associati has no national exhibitor affiliatio

Who? What? When?

"Palooka" Dated In

"Palooka," the Reliance production released by United Artists, is scheduled to open at the Rivoli Theatre here on Feb. 27th.

"U" Easter Ball Apr. 14

The Universal Club will hold its Easter dinner and ball at the Hotel Lismore here on Saturday evening, April 14th.

Sherman Quits Telegraph

Shake-up in the editorial department of the *Morning Telegraph* has resulted in the resignation of Al Sherman, film critic, and Leo Fontaine.

Shy to Megaphone

HOLLYWOOD, Feb. 19.—Gus Shy, ac or, is being groomed by Hal Roa for a directorial spot.

The timeliest picture you can book!

AIRMAIL



Cash in immediately on the tremendous current interest in airmail—on the thousands of front-page headlines! . . . . Get in touch with your Universal Exchange TODAY for a quick run on the picture that gives the inside dope on . . . . "AIRMAIL!"

Spot News from Columbia



"CLARK GABLE and CLAUDETTE COLBERT have the parts of their lives in one of the most charmingly human dramas to reach the screen, Frank Capra's 'It Happened One Night.'"
—*Screen Play Magazine*



Unusual! Different! Terrific! These are just a few of the expressions you'll hear around Hollywood about Frank Borzage's "NO GREATER GLORY," based on Ferenc Molnar's great novel.



Prepare yourselves for a swell picture when this one arrives! ELISSA LANDI and JOSEPH SCHILDKRAUT in "Sisters Under The Skin," with Frank Morgan. Directed by David Burton.

Yamins Files Complaint On Board Choices

(*Continued from page* 1)

two affiliated members and that clearance and zoning boards have three qualified independents of their membership of five. No member of the M.P.T.O.A. would be considered a "qualified" independent on these boards, but should be classified outright as an "affiliated" representative, it was said.

Yamins' brief was filed with the Code Authority after several of his personal nominees had been denied posts on local boards by the sub-committee handling the appointments, of which Yamins is a member, it was learned on good authority. The Code Authority voted to exclude the brief from the record of its meeting, after it had been read by Yamins.

Three More Boards Set; Busy on Others

Detroit, Atlanta and Milwaukee clearance and zoning and grievance boards were completed yesterday and considerable progress in the naming of boards for New York and Chicago was also made, it was reported following a meeting of the Code Authority committee on board selections.

Naming of the New York boards is understood to have been under discussion most of the day without any agreement being reached on their final make-up, although new agreements on individual members were reported. The Chicago boards were described as "about set" at the close of the meeting. The committee resumes its session today.

The Chicago situation pivots about naming first run members. Also a city of much controversy is Boston. Philadelphia and San Francisco remained unsettled when the committee wound up at 6:30 last night to continue at 10:30 this morning. The six men retired last night to check up on various circuit members on tap for appointments.

Naming of alternates for the clearance and zoning board for New York is up in the air. The original intention of selecting alternates who would represent Poughkeepsie, Staten Island, Long Island and Northern New Jersey met with stiff opposition.

Actors Designate 14 For Code Committees

HOLLYWOOD, Feb. 19.—The Actors' Screen Guild, commanding more than 700 proxies, at a meeting today unanimously elected 14 members as nominees to be presented to Division Administrator Sol A. Rosenblatt for places on two code committees. Offered for the agents' committee were: Adolphe Menjou, Spencer Tracy and Berton Churchill. Selections for the actor-producer committee were: Ann Harding, Ralph Morgan, James Cagney, Kenneth Thomson, Richard Tucker, Chester Morris, Robert Montgomery, Claude King, Mary Astor, Pat O'Brien and Paul Muni.

Telegrams Pour in On Board Choices

(*Continued from page* 1)

MOTION PICTURE DAILY flashed its correspondents all over the nation, detailing the selections and advising them to inform the men who make up the boards of their appointments. Since the authority is not advising the men directly, MOTION PICTURE DAILY informed these appointees first, many of them immediately wiring members of the authority their thanks and describing the move as a constructive one.

Original plans of the authority were to have the names released today, but insistence of Division Administrator Sol A. Rosenblatt and some of the committee members forced earlier publication of the 21 lists agreed upon.

Uniform Contract in Agents' Ethics Code

A uniform contract for agents representing talent is provided for in the code of ethics submitted for inclusion in the film code by the National Ass'n. of Theatrical Artists Representatives. Action on including the document in the film code will be taken by the Code Authority at its next meeting, Feb. 26.

The agents' code also provides for arbitration of all disputes between agent and artist. It stipulates that charges of misconduct against any agent member of the association must be made in writing and the charges will be heard by the association's board of directors and penalties imposed by a majority of the board. Expulsion of an agent from the association renders his contracts with talent null and void.

Free performances of artists under contract to the association's members are prohibited under the code without approval of a board named to investigate the cause for which the performance is to be given.

Exception Made on Indianapolis Board

An exception in the setting up of clearance and zoning and grievance boards in Indianapolis has been made by Code Authority because of a peculiar situation existing in that town. With Loew's as the only affiliated circuit in that city, the authority decided to put Jack Flex on the clearance and zoning board instead of the grievance board, and therefore named two independents to the grievance list. While the third name in all grievance lists calls for an affiliated exhibitor, I. M. Halperin, an unaffiliated, was named in addition to Charles Olson. Halperin operates the Indiana.

Kalmenson Transfer Brings Board Shift

Promotion of Ben Kalmenson from manager of the Warner exchange in Pittsburgh to head of buying and booking for all Warner houses in the Smoky City gives the Code Authority its first important change in names already set. Kalmenson was appointed affiliated distributor member of the Pittsburgh grievance board. Because of his shift in jobs he will have to be replaced.

Members of Code Authority will decide upon his successor at its next meeting Feb. 26.

Exhibitors in K. C. Agree to End Price War

(*Continued from page* 1)

restricted to one program of not more than two days weekly. It was also decided to set a minimum admission price for suburbans and subsequents of 15 cents and abolish all 10-cent admissions except in a few situations where such a scale has long been established as a regular policy. The ban is effective immediately or as soon as the handful of exhibitors who failed to attend the meeting express their agreement.

Means read a wire from John Flinn, Code Authority secretary, stating that the code absolutely bans all the practices which the exhibitors have agreed to do away with.

E. A. Schiller of Loew's will immediately be informed of the action taken at the meeting with a view to bringing about an increase at the Midland.

Probe Sponsors for Shows in Newburgh

NEWBURGH, N. Y., Feb. 19.—Following a notification from Code Authority that Division Administrator Sol A. Rosenblatt will stop free shows at the local armory if the CWA sponsoring them, an investigation being made by the owner of the Par the complainant, to find who is paying for the talent.

Reports have it now that the State Civic Ass'n. is sponsoring the show.

Division Administrator Sol A. Rosenblatt is getting in touch with the Radio Code Authority to name a committee of three to meet with group of the film and legitimate theatre authorities on the question of free radio shows. A meeting may take place this week, if it can be arranged.

Representing the film Code Authority are Charles L. O'Reilly, S. Kent and Ed Kuykendall. For the legitimate authority are Marcus Heiman, chairman; William C. Elliott, president of the I. A. T. S. E., and Frank Gillmore, president of Actors Equity.

Authority Will Get Vaudeville Report

The code committee on vaudeville will meet tomorrow at 2:30 at authority headquarters to present a report on its findings as a result of complaints made recently at a general open session at the Astor.

Supplementary information also has been secured by the committee and the report will be formally submitted to Code Authority at its gathering next Monday.

Authority Preparing A Report on Labor

With the general meeting of code authorities slated to start in Washington March 5, the film authority is preparing a report on labor, covering an increase in employment in the industry from Hollywood and points east and south.

Charges Wide Smoke Screen By Agitators

(Continued from page 1)

y the NRA—a method of distributing nd selling pictures which has helped naintain the price of screen enterainment to a universally popular cale."

Pettijohn did not mention the M.P. esearch Council by name, but he aid "professional organizers of camaigns to discover 'scientifically' what's rong with the movies have joined ands with agitators who have nuscled in the business, to cry from ne housetops that block booking locks the lily white pictures which ney say the public demands.

"The pity of it is," Pettijohn connued, "that many splendid comunity groups have been led to beeve by the reams of publicity spread y such agitators that what these roups call 'bad' pictures are forced pon the unwilling exhibitor through ne practice of block booking. What ney are not told is that these fine ictures are the very features most ften canceled."

Pettijohn said that a survey conucted last week showed not one canellation on a Mae West film.

"Those who advocate legislation gainst block booking as a panacea hich will automatically insure the xhibition of socially valuable picures," he continued, "are assuming nat the local theatre manager would ook only such pictures if he were electing them one by one. The fact s, and it cannot be denied, the local heatre manager does select only those ictures which in his opinion would ring the greatest box-office return n proportion to the cost.

"The racketeers within the industry ho feed upon selfish interest and itigation agitate on subjects having o do with motion picture trade pracices have helped to build up misunerstanding and agitation outside of he industry because it is either profitble or they hope to make it profitable. Most of them do not have a single ollar invested in the industry. They re self-appointed leaders and their acket is for personal profit only.

"The motion picture industry cannot be helped by more governmental egulation or censorship. The best nd most effective formula to follow s one of self-regulation."

St. Louis Decision Goes to Operators

(Continued from page 1)

heatres are raised as follows: From 60 to $75; from $56.50 to $66.50; rom $42.50 to $47.50, and from $40 to 45 per week.

The total involved, if the back pay uling stands, is about $14,575. Fred Vehrenberg, president of the M. P. T. O., says he would appeal to Genral Hugh S. Johnson and to the ourts, if necessary. He especially bjected to any attempt to carry a ode arbitration ruling beyond Dec. 7.

Between April 16 and Aug. 19, last, perators consented to cut their pay ut at the end of the summer season nsisted on being increased to the igher scales. Dr. Patton has communicated his decision to the NRA.

M. P. Federation to Name New Secretary

Appointment of a new secretary of the Federation of the M. P. Industry is slated to take place next Friday when the executive committee of the organization meets to select a successor to Alec Moss, who resigned to join Paramount. Also to be discussed at the session are the double feature situations in Chicago and Milwaukee, and finances. It is expected a $10 charge on each negative reel, plus a small tax for positive prints, will be decided upon to bring in a total of approximately $50,000 annually.

Harry Thomas, president, returned yesterday from a three-week vacation in Miami.

Loew Building Only 2 Australia Houses

Loew's for the present is limiting theatre construction in Australia to two theatres, one in Melbourne, which will be ready by June, and another in Sydney, which will be completed next year.

Arthur Loew, head of foreign activities for the company, leaves in three weeks for a tour of all Europe and will be gone several months. He has just returned from Australia and says theatre business there is very good.

Dembow Says Para. Out of St. Joseph

KANSAS CITY, Feb. 19.—Denying reports Paramount has lease interests in St. Joseph, Mo., theatres, Sam Dembow, Paramount theatre operating executive, said here recently that all interests in those properties have been turned over to Dubinsky Bros. The deal was a development of the Publix-Dubinsky partnership dissolution of a year and a half ago, when Dubinsky took over three Publix houses in St. Joseph.

M-G-M Undecided on Stage Productions

M-G-M is undecided about invading the legitimate production field, it was stated yesterday despite reports to the contrary. According to reports, Edgar Selwyn, who returned to the coast Saturday, is due to return in August to act as adviser on the project.

At M-G-M headquarters it was admitted the matter has been under discussion.

M-G-M Changes End Of "Laughing Boy"

Following the stand taken by Universal in "King for a Night," M-G-M has remade the ending of "Laughing Boy" and now has the heroine die as the picture closes. In the Universal film, Chester Morris goes to the chair when he takes the blame for a murder his sister committed.

52 Fires Last Year

There were 52 theatre fires in New York during 1933, of which 38 were in film theatres, according to the annual report of Fire Commissioner McElligott. The report does not indicate whether this represents an increase or decrease over the number of theatre fires reported during the preceding year.

Washington Round Table Dinner a Wow

WASHINGTON, Feb. 19.—Theatre men here are still talking about the first gathering of members of the Managers' Round Table Club of *Motion Picture Herald*, which began at 11 o'clock Saturday night and ran into the early Sunday morning hours at Club Michel.

Among the merrymakers were showmen from the District of Columbia and points some distance away in Maryland and Virginia, film exchange managers and salesmen and representatives of other industry branches.

Stephen T. Early, one of the Presidential secretaries, presented on behalf of Martin Quigley the January Quigley award to Kenneth Grimes, manager of the Warner, at Morgantown, West Va. A. J. Brylawski, Washington M.P.T.O. president was toastmaster. Among the guests were: Deputy Administrators William Farnsworth, E. N. Frensdorf and Ayber Cater; W. H. Doherty, radio code aide: J. Bradish Carroll, NRA paymaster, and Thomas McGuire, code advisor.

The committee in charge included: Walter Morris, Metropolitan Theatre, chairman; Frank Boucher, city manager for Warners, at Hagerstown; Carter Barron, manager, Loew Theatre; Harry Hunter, Washington branch manager for Paramount; Frank LaFalce, Washington zone manager for Warner theatres, and Maurice Blouin and Bill Ewing, his ad chief and assistant; Lou Brown, Washington Loew Theatres ad head, and Guy Wonders, production head for Washington Warner theatres.

Zukor, Hays Called In Rembusch Trial

(Continued from page 1)

Abramson, independent producer, who recalled what he said was a promise made by Zukor to an exhibitors' convention in Minneapolis in 1921 that Paramount would not build or acquire any more theatres thereafter.

Depositions of Indianapolis exchangemen were read into the record yesterday and considerable statistical evidence from industry reference manuals was introduced.

Erpi Reports New Ruling

Erpi reports that the validity of its license agreements has been upheld by the U. S. District Court for the western district of Oklahoma in an opinion by Judge Edgar Vaught. The suit was for recovery of equipment installed in the Savoy at Shawnee as well as for unpaid charges. The court, Erpi says, ruled in its favor both on recovery of the equipment and for the full amount of money claimed.

Arthur, Marco Back

Harry C. Arthur, vice-president of F. & M., returned yesterday from a tour of the west and midwest, where he negotiated several theatre deals. He visited St. Louis, Denver and Salt Lake City. Mike Marco, who met Arthur in Denver, is in New York and will remain for two or three days.

Mitchell, Durant Signed

HOLLYWOOD, Feb. 19.—Upon completion of their roles in "Fox Follies," Fox signed Mitchell and Durant to a new contract calling for three pictures.

Ohio Theatre Men Backing Unit to Full

(Continued from page 1)

November with Ernest Schwartz, Cleveland, as president, with the combined financial and numerical strength merged into one state organization, has given the independents renewed hope of ultimately, if not presently, effecting repeal of the 10 per cent amusement tax, the paramount objective at the moment.

Efforts are being directed to enroll every Ohio independent exhibitor in the new unit. Pete Wood, state secretary, will hold regional meetings in Cleveland and Cincinnati each alternate 30 days at the headquarters of the local organizations, which will continue to serve their respective areas. A secretary will be stationed at each office to record interim proceedings. Wood will retain his residence here for the present, at least.

In reviewing film sales in Ohio, Wood told MOTION PICTURE DAILY independents pay practically one-half of the total rental of the state. Out of 540 independent houses in Ohio, averaging $150 each for weekly film rental, the annual aggregate is roughly $4,250,000, Wood explained.

On the other hand, the 90 circuit-owned or controlled houses, including recent acquisitions by Mort Shea and Meyer Schine, pay approximately $4,700,000. The figures in both cases are conservative, Wood said.

There are 10 Ohio situations which have one or more circuit-controlled or affiliated houses, which do not have an independent house.

The Cleveland M. P. Exhibitors' Ass'n is putting maximum effort behind code proceedings in general and those affecting the independents in particular, M. B. Horwitz told exhibitors at the meeting.

To date, he said, the organization has spent around $7,000 on code matters, including his expenses as delegate to the code conferences at Washington. "But it's money well spent," he declared, "and in time will begin paying substantial dividends in various ways."

Creel Takes Hand For Studio Labor

(Continued from page 1)

Creel, head of the California NRA, came here today and went into a huddle with Charles Cunningham, local NRA chief, and Judge Ben Lindsey recently appointed labor compliance officer, to check with Pat Casey.

Casey said Lindsey's appointment would not conflict with the work of his board which, he said, is now studying and clearing up asserted code violations as quickly as possible.

Mrs. Mabel Kinney, who was in Sacramento over the week-end, said the studio board would swing into action immediately. She blamed government red tape for delay.

Rhoden on Vacation

KANSAS CITY, Mo., Feb. 19.—Elmer Rhoden, local district manager for Fox theatres, has left on a three-week vacation in Florida.

GEORGE RAFT

in "Bolero"

with CAROLE LOMBARD and
SALLY RAND (the fan dancer)
directed by Wesley Ruggles



f it's a PARAMOUNT PICTURE it's the best show in town!

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 35. NO. 43 NEW YORK, WEDNESDAY, FEBRUARY 21, 1934 TEN CENTS

No Reelection To Be Sought By Kuykendall

Finds MPTOA Job Takes Too Much Time, Money

Because of the time and money it has cost him, Ed Kuykendall will turn down any plan to renominate him as president of the M. P. T. O. A. at the annual convention to be held in Los Angeles April 10-12. It is understood a successor is being sought and two or more men are now under consideration for the post.



Ed Kuykendall

Directors of the national association will meet on April 10 to

(Continued on page 6)

Cooperation to Be Keynote for MPTOA

The annual convention of the M.P.T.O.A. will be a cooperative industry affair, Ed Kuykendall, president, stated before leaving yesterday for his home in Columbus, Miss. He returns Monday to resume work on selection of personnel for the clearance and zoning and grievance boards and to attend the Code Authority session Feb. 26.

Instead of holding a two-day ses-

(Continued on page 6)

Fox Wins Protest; 'Follies' Dropped

Immediate ending of the use of the word "Follies" in the title of Warners' "Fashions of 1934" is recommended by the title registration committee of the Hays office on the

(Continued on page 6)

Loew's, Paramount Await K. C. Moves

Loew's and Paramount will continue low admission and first run double feature policy at the Midland and Newman, Kansas City, until policy changes voted Monday by the I. T. O.

(Continued on page 12)

Films Hit at Alien Talent Bill Hearing

Two Congressmen Figure In Industry Attack

WASHINGTON, Feb. 20.—Sharp attacks on the film industry today marked the hearing before the House Immigration Committee on Representative Dickstein's bill to place entry of foreign actors under the contract labor provisions of the immigration laws.

Representatives of the industry were not reached today, but will be heard when hearings resume next Monday. Those who testified today in behalf of the bill represented the actors, while the opposition came from producers and playwrights.

Opponents of the measure charged

(Continued on page 6)

Ol' Davil Snow

The snowstorm interfered with regular routine yesterday, many members of the film fraternity resident in Westchester finding it impossible to get into New York. Much business was handled over telephones.

Predicts Production Boom Here in '34-35

An increase in production activity at eastern studios which may result in the scheduling of a minimum of 24 features and several hundred short subjects for production here next season is anticipated by Al Christie. He is producing for Educational at Eastern Service Studio and refers to production at large in the East.

Christie views eastern facilities as capable of accommodating any type

(Continued on page 8)

Who? What? When?

PUBLICATION of thumbnail biographies of the men who make up the grievance and clearance and zoning boards under the code, launched serially yesterday in MOTION PICTURE DAILY, *met with immediate, favorable response in the New York trade. The editor's telephone jingled with messages of commendation during the day.*

This morning, in the second instalment, Cincinnati, Denver and Kansas City are covered. The series will continue daily until all boards, so far announced, are covered.

Cincinnati

CINCINNATI, Feb. 20.—GEORGE SMITH, representing affiliated national distributors on grievances, was born in New York City on July 8, 1889. He graduated from the St. George High School and subsequently embarked upon a course in journalism at Columbia University in that city. Later, Smith became a teller in the Port Richmond (Staten Island) National Bank, spent nine years on the *New York Evening Journal*, was assistant general manager of Pathe and then general sales manager of Triangle. Joining Paramount in 1921 as exploitation representative in Canada, he was made branch manager in Winnipeg shortly thereafter. In 1924 came a transfer to Milwaukee in the latter capacity and in 1927 his transfer to Cincinnati, where he has remained as Paramount's representative here.

PAUL EDWARD KRIEGER, representing unaffiliated distributors on grievances, was born May 14, 1889, at Hamilton, a suburb of Cincinnati, and was edu-

(Continued on page 10)

Denver

DENVER, Feb. 20.—EARL BELL, representing affiliated national distributors on grievances, was branch manager for Warners in Omaha from 1925 to 1929. For the next year, he was a film buyer at the company's home office in New York. From 1930 to 1932, Bell was assistant theatre zone manager with headquarters in Pittsburgh and, therefore, embraces in his experience considerable knowledge of exhibition and distribution. Currently, he is manager of the Warner exchange here.

JACK LANGAN, representing unaffiliated distributors on grievances, was born on Sept. 2, 1894, in Kansas City, Kan., and was educated at Sweeney's School of Engineering. His period of employment includes posts with the City of Kansas City, the Morris Packing Co., Columbia Steel Products Co. and thereafter, in the film industry, with Select, Standard Film and Warners. He joined Universal in 1929 and now is in charge of the company's branch here.

L. J. FINSKE, representing affiliated

(Continued on page 10)

Feb. 28 Stays Final Day for Code Assents

Postponement of Allied Suit Has No Effect

Feb. 28 stands as the final date for sending in assents and little hope is seen for another extension as a result of postponement in Allied's suit against Code Authority to Feb. 23.

In agreeing to delay of the suit to Feb. 20 recently, Allied insisted the case be heard eight days before expiration of the assent deadline. This stand was taken in the event Allied loses, members could send in their forms in time and without being deprived of the benefits of the code. Yesterday, the suit was put over to Feb. 23 and the compliance date was untouched.

Attitude of Division Administrator Sol A. Rosenblatt in not extending the compliance date is understood to be that all assents must be unqualified and if there are any objections to the code, a court review can be asked.

Choice of Boards Delayed to Monday

With 16 clearance and zoning and grievance boards yet to be definitely set, the committee on selections, which started to work on completing 20 boards Monday, adjourned yesterday until next Monday when a session will be held in an effort to finally approve the names before the regular Code Authority session the same day.

Clearance and zoning and grievances boards in Boston, Philadelphia, New

(Continued on page 6)

No New Rules Seen In Germany's Code

Restrictive provisions of the new German film code on production and exhibition in that country were described here yesterday by foreign representatives of major companies as merely a "reiteration" of Nazi film legislation in effect in Germany for

(Continued on page 12)

No Paper Thursday

***Motion Picture Daily* will not publish tomorrow, which is Washington's Birthday and a legal holiday.**

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Mother and Son Die

LEXINGTON, Feb. 20.—Charles H. Berryman, former Lexington theatre owner and operator, lost his wife and son within a two-hour period. Brownell Berryman, the son, was 40 years old. He died at the Good Samaritan Hospital, two hours and 15 minutes before his mother, Mrs. Louisa Brownell Berryman. Pneumonia was the cause of their death.

Gracie Allen Hurt

HOLLYWOOD, Feb. 20.—Scalp injuries suffered when she fell through a door in a local cafe will keep Gracie Allen out of the cast of "We're Not Dressing" at Paramount for several days.

MOTION PICTURE ALMANAC
1934-35
NOW IN PREPARATION
WHERE THE WORLD LOOKS FOR MOTION PICTURE facts
PRICE $5.00


Insiders' Outlook

NEW Paramount de luxe theatre policy calls for the biggest of names. You'd be surprised to learn at whom Sam Dembow is making eyes—and offers. But the plan goes beyond. It calls not only for marquee whoppers, but a novelty slant on their talents. It is figured dumping big names on a stage a la routine might be all right, but the unusual in treatment is better. And so it will be. . . . Practically all of the dailies handled the slight curtain fire at the Capitol Monday very nicely indeed. The Loew office is grateful. . . .

▼

Now that Warners will drop the use of the inserted word "Follies" in "Fashions of 1934," the Fox bunch will be happier. Foxites certainly were burnt up, what with "Movietone Follies of 1934" coming along pretty soon now. . . . Plans of Allied to resume its own organ on a weekly basis, first rumored in this column, are now admitted. What is not admitted is anything having to do with the editorial policy and what individual it is designed to make squirm. . . .

▼

Nary a peep from Harold B. Franklin, whose name reaches print again in the *Who? What? When?* series, now in its second day. The general understanding was Franklin was all set to produce independently, probably H. J. Yates-financed and Biograph-housed. All's been quiet for some time on that front, however. . . . Madeleine Carroll is splendid in "I Was a Spy," which was made in London. Now Fox has her for one picture and she's in Hollywood. Lucky Fox. . . .

▼

Ed Schiller looked a trifle thinner than usual yesterday when we paid him a sick call, but nothing like the sick man those wild reports around Times Square had indicated. Forty stories above Central Park, there he was ready to leave for Florida for a month or six weeks of quiet and recuperation. "The doctor says this will fix me up and I'll be back like a two-year-old," he remarked. In the meantime, it will be all sunshine, all rest, all play and no worry about those Loew theatres to which Schiller has proven faithful for so many years. He's finding his enforced idleness irksome, but then Schiller would. . . .

▼

As was expected, quite a fuss has developed over code boards to serve New York and this exchange territory. Not much less is the fuss over a similar process for Chicago. . . . So Ike Blumenthal, after all these years, is out of Paramount! The old order certainly does changeth though. Time was when imagining Paramount without Blumenthal was pretty much as imagining the company without Adolph Zukor. . . . Sam Katz says he's about fed up, what with his sitting caught up and is getting ready to step. Sam usually steps handsomely and wide. So. . . .

▼

Bill Clark, once operating head for Paramount in Australia, is reported getting set to join Fox, where Brother John is generalissimo of domestic sales. Just a

(*Continued on page 8*)

Pathe "A" Up 1 on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	25½	25½	25½	+ ¼	500
Consolidated Film Industries	5	5	5	— ¼	200
Consolidated Film Industries, pfd	17	16½	16⅞	+ ¼	300
Fox Film "A"	16⅝	16⅜	16½	.....	1,000
Loew's, Inc.	33⅜	32⅜	33	+ ⅛	6,900
Loew's, Inc., pfd	91½	91½	91½	.....	100
M-G-M, pfd.	24⅞	24⅞	24⅞	.....	100
Paramount, cts.	5¼	4⅞	5⅛	.....	15,100
Pathe Exchange	3¼	3	3⅛	.....	2,700
Pathe Exchange "A"	17⅝	16¼	17⅝	+1	1,000
RKO	4	3⅞	3⅞	.....	3,700
Universal Pictures, pfd	32	32	32	.....	1,000
Warner Bros.	7½	7	7¼	.....	4,100

Sentry Active on Curb

	High	Low	Close	Net Change	Sales
Sentry Safety Control	⅜	⅜	⅜	+ 1/16	100
Technicolor	10	9⅞	10	+ ½	400

Paramount Publix Bonds Fall 2¾

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	11¾	11¼	11⅜	+ ⅛	12
General Theatre Equipment 6s '40, ctf	10⅜	10	10⅛	— ½	10
Keith B. F. 6s '46	63	62⅛	62⅛	— ⅜	3
Loew's 6s '41, ww deb rights	96¾	96	96	— ½	7
Paramount Broadway 5½s '51	39¼	38⅛	39	+2	23
Paramount F. L. 6s '47	46½	45½	46⅜	—1⅝	43
Paramount Publix 5½s '50	46½	46	46	—2¾	15
Pathe 7s '37, ww	93	93	93	+1	1
RKO 6s '41, pp	33	33	33	—1	2
Warner Bros. 6s '39, wd	57⅞	57½	57½	— ½	8

Purely Personal

JIMMY HOLLYWOOD, ED B... TELL and HENRY TAYLOR, known air and stage as the Three Ra... Rogues, will leave for Hollywood plane upon completion of their engag... ment this week at Loew's State to a... pear in a second film for M-G-M.

LYNN FARNOL, back from a qui... trip to Philadelphia yesterday, pull... out this morning for Cambridge meet SAMUEL GOLDWYN, who d... cusses industry problems there tod... before the Graduate Business Sch... of Harvard.

BERTRAM MILHAUSER and BEULA... MARIE DIX, both writing folk, a... authors of "The Ragged Army," o... of the week's new plays which ope... at the Selwyn tomorrow night.

CAPT. R. STUART MURRAY has l... for Honduras on a five montl... scientific expedition during which will film subjects for Universal New... reel.

BERNIE KLEID has a new daught... Renee. It was sort of a Lincol... Birthday celebration in his fami... KLEID is with National Theatre Su... ply.

JAMES WHALE, who arrived fr... England on the *Europa,* has l... for Hollywood by train to beg... work on "A Trip to Mars" at U... versal.

GENE RAYMOND returns from... Palm Beach vacation tomorrow. I... will stay at the Lombardy over t... week-end and leave Monday for t... coast.

LINDA WATKINS is one of the lea... in "They Shall Not Die," latest fr... the Theatre Guild, which opens at t... Royale tonight.

WALTER HUSTON reaches New Yo... Saturday night as the star of "Doc... worth." Set for its debut at the Sh... bert.

BERNICE CLAIRE completed wo... yesterday in "Who Is That Girl?" ... the Brooklyn Vitaphone plant.

CLIFF (UKELELE IKE) EDWAR... and MRS. EDWARDS are in from L... Angeles.

RICHARD WALLACE and MRS. ... are off for Hollywood. Plans to ma... a picture here failed to jell.

PAUL MUNI gets in tomorrow ... the *Manhattan* with MRS. MUNI af... a Russian trip.

MARCEL ACHARD is en route to t... coast to do French dialogue for "T... Merry Widow."

ABNER RUBIEN, I.A.T.S.E. couns... is back from a vacation in Cuba.

ABE MONTAGUE is back from ... Florida trip.

JOE RIVKIN expects to trek to t... coast next month.

NATE BLUMBERG and the missus ... sail for Bermuda today.

EDGAR SELWYN has left for Hol... wood.

JEANETTE MACDONALD is in to... from the coast.

WILLIAM MORRIS, JR., is on t... high seas, Paris-bound.

C. C. PETTIJOHN snowbound at R... yesterday.

SAM DEMBOW, JR., laid low by ... cold at home yesterday.

RUBY KEELER is in town.

WILL ROGERS

America's Biggest Male Box Office Star ★



★ According to *Motion Picture Herald's* "Biggest Money Making Players" questionnaire to 15,000 exhibitors.

DAVID HARUM

America's Best-Loved Fiction Character



It has that "State Fair" flavor

●

LOUISE DRESSER
EVELYN VENABLE
KENT TAYLOR
STEPIN FETCHIT

From the novel by
Edward Noyes Westcott

Directed by James Cruze

FOX

. SUB-ZERO WEATHER FAILS TO

FOUR STARS (N. Y. Daily News) AND CAPACITY CROWDS GREET "CAROLINA" AT RADIO CITY MUSIC HALL

"Carolina" continues its triumphant march . . . a country-wide sensation . . . hailed everywhere as Janet Gaynor's greatest picture . . . an opinion that checks with box-office figures. FOX makes them that way!

JANET GAYNOR
LIONEL BARRYMORE
in
"CAROLINA"

ROBERT YOUNG • HENRIETTA CROSMAN
RICHARD CROMWELL • MONA BARRIE
STEPIN FETCHIT

Directed by HENRY KING. From "The House of Connelly" by Paul Green

Produced by
WINFIELD SHEEHAN

SLOW UP THESE GREAT FOX HITS

PLAYDATES POUR IN AS "DEVIL TIGER" GIVES RIALTO (N.Y.) RECORD RUN!

By phone, wire and letter . . . . exhibitors are demanding *immediate* playing time* on the greatest animal thriller ever made. Shrewd showmen, these . . . . getting the jump in their towns.

DEVIL TIGER

Directed by CLYDE E. ELLIOTT
director of "BRING 'EM BACK ALIVE"
Story by James O. Spearing. Edited by Truman Talley.

*PLAYING "DEVIL TIGER" NOW

and the list is growing by the minute!

LIBERTY . . . Oklahoma City
FOX . . . . St. Louis, Mo.
AMERICAN . . Butte, Mont.
PARAMOUNT . San Francisco, Calif.
ORPHEUM . . Oakland, Calif.
STATE . . . Charlotte, N. C.
IMPERIAL . . Columbia, S. C.
STRAND . . Spartanburg, Va.
ROOSEVELT . . . Chicago
CAPITOL . . . . Dallas
AMERICAN . . Colorado Springs
Entire BUTTERFIELD CIRCUIT, Michigan
STATE . . . . Memphis
VICTORY . . Salt Lake City
FOX . . . . Washington
STATE . . New Bedford, Mass.
STATE . . . Scranton, Pa.

Entire COMERFORD CIRCUIT
LOEW'S . . Columbia, Wash.
EMBASSY . . Allentown, Pa.
GLOBE . . . Bethlehem, Pa.
STRAND . . Cumberland, Md.
PALACE . . Newport News, Va.
GRANBY . . Norfolk, Va.
PALACE . . . Petersburg, Va.
STATE . . . Richmond, Va.
MISHLER . . Altoona, Pa.
SHEA'S . . . Erie, Pa.
PARK . . . Johnstown, Pa.
LIBERTY . Wheeling, W. Va.
COLONIAL . . Akron, O.
PALACE . . . Canton, O.
LAKE . . . Cleveland, O.
GRAND . . Steubenville, O.

PRINCESS . . Toledo, O.
PARK . . . Youngstown, O.
FAIRBANKS . Springfield, O.
PARAMOUNT . Anderson, Ind.
PARAMOUNT . Ft. Wayne, Ind.
INDIANA . . . Marion, Ind.
GRAND . . . Muncie, Ind.
SHEA'S . . Jamestown, N.Y.
REGENT . . Rochester, N.Y.
PALACE . New Britain, Conn.
PALACE . . Stamford, Conn.
PARK . . . . Bangor, Me.
FITCHBURG Fitchburg, Mass.
STATE . Poughkeepsie, N. Y.
OLYMPIC . Watertown, N. Y.
PALACE . . . Hamilton, Ont.
REGENT . . . Ottawa, Ont.

FOX

No Reelection To Be Sought By Kuykendall

(*Continued from page* 1)

nominate a new slate for the ensuing year. The directors are composed of delegates from about 20 affiliated units.

Kuykendall was delegated last year by the directors to assume the unexpired term of M. A. Lightman, who resigned the presidency because of business pressure, and at the time stated he would serve only until the next election.

Theatre business of the M.P.T.O.A. head is being run by his wife during Kuykendall's many trips here. She was his secretary for seven years and knows the workings of the business. Leaving for his home yesterday after six weeks in New York, Kuykendall will be with his family for only two days before hopping another train east. During the last few months he has been spending more time in Pullmans than in his own home.

Cooperation to Be Keynote for MPTOA

(*Continued from page* 1)

sion in Los Angeles, the convention will last three days, starting April 10. The hotel has not yet been decided upon, but most likely will be the Ambassador. Tony Muto has been enlisted on the publicity and is also arranging special railroad rates to and from the coast. Dave Palfreyman also is working on the meeting. He is getting the studios to cooperate, since the plans include visiting the various picture plants to meet the stars and producers.

Kuykendall yesterday emphasized the convention was to be an all-industry meeting and differences from any side of the fence can be ironed out in the open. He is inviting all members of the industry to attend; also non-industry group heads. He stated he is not appealing to any units to join the national association, although he expected northern and southern California organizations, which have been cooperating with him on the code, to formally announce their alignment.

A revue of the code will be one of the highlights. Another is the annual elections.

Austria Nears Normal

Theatre conditions throughout Austria are gradually attaining normalcy, with practically all houses which were closed during the Socialist rebellion reopened again, according to cable advices received by several home office foreign departments yesterday. Attendance is reported to be off appreciably in many cities, but with the theatres reopened patronage is expected to rebuild rapidly as the political situation becomes calm.

Miller Case Is Delayed

CHICAGO, Feb. 20.—Attorneys for Jack Miller, against whom contempt charges are pending, obtained a continuance before Federal Judge Barnes. Miller is still vacationing in Florida.

Choice of Boards Delayed to Monday

(*Continued from page* 1)

York, San Francisco, Chicago, Albany, Cleveland and Washington remained unsettled as the committee broke up at noon yesterday. Atlanta and Milwaukee were definitely designated Monday.

Snowed in at his Great Neck home, Charles L. O'Reilly yesterday called the committee every five minutes to find out whether any decisions had been made on the New York boards. Charles C. Moskowitz of Loew's was another inquisitive caller. He also could not reach New York from his home and kept calling the committee men at the rate of once every 10 minutes.

Myers Delays Trip Here to Next Week

Abram F. Myers, general counsel for Allied, has put off his planned trip to New York until next week when he will confer with Sidney Samuelson, president, on appointment of six regional vice-presidents and organization policies. Several Allied leaders are expected to attend the meeting.

Nathan Yamins returns today to Fall River, Mass., after three days here working on selection of personnel for clearance and zoning and grievance boards in 10 cities.

Assents Total Goes Up by 48 to 7,560

Returned unqualified assents took a decided jump yesterday with 48 received by Code Authority. The new influx lifts the former total of 7,512 to 7,560.

Goldwyn Pleases Guild

HOLLYWOD, Feb. 20.—Samuel Goldwyn's *Saturday Evening Post* article on "Do We Pay Our Picture Stars Too Much?" has met with the approval of the Screen Actors' Guild.

"Your attitude is the one on which we based all our contentions during the code conferences," read a wire signed by Kenneth Thomson, "and we congratulate you on your courage in giving the facts to the public from the producers' standpoint."

Mrs. Herrick Opposed

Local 802 of the American Federation of Musicians has gone on record as favoring the resignation of Mrs. Elinore M. Herrick as acting chairman of the Regional Labor Board. The union also wants the legitimate theatre code reopened and doesn't want Joseph N. Weber, president of the federation, to represent it at hearings.

Sought for Memphis

MEMPHIS, Tenn., Feb. 20.—Frank Sturm, local banker, and Fletcher G. Cohen, attorney of this city, have received wires from Division Administrator Sol A. Rosenblatt asking if they will serve as impartial members of the code boards for this territory. Both have signified their willingness.

Bareford in Washington

WASHINGTON, Feb. 20.—Harold S. Bareford of Warners is here conferring with Division Administrator Sol A. Rosenblatt.

Fee Splitting Ban Put in Agent Code

Splitting of commissions between agents who are members of the National Association of Theatrical Artists' Representatives or any other agents is banned under penalty of expulsion from the organization under the agents' code of ethics which it is proposed to include in the film code. The Code Authority is scheduled to act on the inclusion proposal at its next meeting, Feb. 26.

The clause banning splitting of commissions, however, does not prohibit association members from "apportioning" commissions to other agents outside the New York jurisdiction, such as California, Chicago or European cities. The code prohibits agent members from paying commissions or any form of bonus to employers of talent or their associates, and prohibits the agent from accepting bonuses in any form from the artist.

The agent is prohibited under the code from having any association with a booking office, casting agency or theatrical employment agency, and may engage in production of vaudeville or presentations only on the condition that he collects no remuneration from those he employs in such enterprises.

Allied's Suit Goes Over by Agreement

By agreement between attorneys for both sides, Allied's suit against Code Authority was postponed yesterday until Friday by Judge John Knox in the U. S. District Court. Judge Francis G. Coleman was to have heard the case yesterday, but due to illness did not sit.

ITOA Set for Ball

Several of the leading night club orchestras and a wide range of screen and stage talent, headed by Al Jolson, has been lined up for the Independent Theatre Owners' Ass'n. ball to be held tonight at the Waldorf Astoria.

Claude Hopkins and his Roseland orchestra and Eli Danzig and his hotel St. George orchestra will furnish music all evening, and short visits are expected from N.T.G. and his Paradise Revue and Rudy Vallee.

Cold Halts Nudist Suit

Suit brought by Mike Mindlin for an accounting of profits on "This Nude World," which was scheduled for trial yesterday at Mineola, L. I., was postponed until today as a result of Monday night's storm which crippled Long Island transportation facilities so that the presiding judge, attorneys and witnesses were unable to reach the court.

Technicolor Reports Loss

Technicolor, Inc., and subsidiaries report a loss of $249,396 for 1933, after taxes, depreciation, amortization of patents and other charges. The 1932 loss was $235,503. In 1933 $36,830 was capitalized as expenditure for research, development and patent costs, and a loss of $75,424 was charged directly to surplus account.

Schiller Goes South

E. A. Schiller, of Loew's, Inc., left for Florida last night on a recuperative journey. He has been ill for four weeks.

Films Hit at Alien Talent Bill Hearing

(*Continued from page* 1)

that it would unnecessarily restrict th importation of labor and give th Labor Department authority to d their casting, while supporters co tended it would safeguard America jobs for American talent.

The attacks on the film industr came from Representatives Seidema of Michigan and Schulte of Indian the former asserting that the legit mate theater's trouble was film con petition and not lack of good actor

Declaring that the sole oppositic to the bill comes from the film indu try, Schulte asserted "it wants t bring actors over and reap a harve and then sell the pictures abroad. The are thinking only of their own selfis selves and of their greed. The fil industry is throwing millions of peop out of work in the legitimate theatre

"Thirty or 40 actors are all th are required to make pictures," l continued, "and those pictures go a over the country, bringing in re enue for the 'international' motion pi ture producers."

Fox Wins Protest; 'Follies' Droppe

(*Continued from page* 1)

ground that it is detrimental to Fox annual production of "Movieto Follies."

The committee asks Warners issue telegraphic instructions for elir ination of the word in all adverti ing, exploitation, publicity, bookin and exhibition. The ruling was sign by William A. Orr, R. W. Doidg Robert Harris and Irene F. Sco Action was taken on a protest fro Fox.

The committee ruled that Warne failure to register the title was "flagrant violation of the first ru of the association that all titles mu be registered."

"We find," the ruling continue "that the type setup of the advertisi issued by Warner Bros. is misleadi in that they play up in bold face ty the word 'Follies' and subordinate small type the word 'Fashions,' whi is obviously an attempt to capitali on the word 'Follies.' Warner Br advertising used the following se tence: 'The Strand Theatre in Alba packed 'em in by injecting that go getting word 'Follies' into the titl This was sent out by Warner Br as press matter on this title.

"We find that Warner Bros. a vertising of this production has us several forms of the title incorpora ing the word 'Follies' and we me our findings and recommendations apply to any use of the word 'Folli in any title or advertising referri to this production."

S. Charles Einfeld, speaking f Warners last night, said his compa had decided to eliminate the obje tionable word in the Powell pictu "out of deference to Fox." Anoth word will be submitted, probal "Frolics," although no definite de sion has been reached on this sc as yet.

The Warners know how to make melodramas. They
whip up the tempo of the story at the proper moments.
'Massacre' presents a new setting and a new viewpoint for
the talkies.
—*N. Y. Sun, Jan. 18*

'I've Got Your Number' bears the **Warner Brothers**
stamp, in the sense that it excavates in a new field — while
maintaining that clever, slangy, colorful comedy-drama angle
of 'Smart Money' and 'Public Enemy.'—*N. Y. Tribune, Feb. 3*

'Fashions of 1934' brings Broadway a new idea in the com-
bination of drama and divertissement and is presented with
that gesture of lavishness that has come to distinguish the
Warner offerings in this field.—*N. Y. American, Jan. 19*

The cinema's ventures into social criticism are usually con-
ducted under the expert guidance of the zealous **Warner**
Brothers.
—*N. Y. Herald-Tribune, Jan. 21*

The Warners, those masters of melodrama, have turned
out another of their rapid-fire, high-pressure . . . yarns and
egistered another sure hit in 'Hi, Nellie!'—*N. Y. Sun, Feb. 1*

From where we're sitting, "Fashions of 1934" looks like the
start of another cycle.
—*N. Y. Eve. Journal, Jan. 19*

'Hi, Nellie!' is as superior to its predecessor as an Al Jolson
is to any of his many imitators.
—*N. Y. Telegraph, Feb. 1*

The House of Warner has outdone itself in 'Fashions
of 1934.' It should set the pace for the spectacular in mo-
tion pictures.
—*N. Y. Telegraph, Jan 19*

that's

LEADERSHIP

Predicts Production Boom Here in '34-35

(Continued from page 1)

of feature production and believes the east to be the "logical place for shooting a diversified schedule of short subjects." After 20 years in Hollywood studios, he sees casting and economy advantages in production here which, he believes, major companies cannot ignore for long.

"The eastern producer can avoid routine production because of his opportunity to choose economically from new personalities always available here from the stage, radio and vaudeville," Christie said. "They are already 'name' performers and, because they have made good here, the producer's battle is half won when he has engaged them. He only needs to present them in the proper vehicles to have real box office pictures."

Christie believes that the east will develop a greater diversification of two-reelers, which he believes to be the great need of short subject schedules now. Slapstick will continue to be supplied by Hollywood, he believes, but new types of two-reel subjects will be developed here.

Christie has made 11 shorts for Educational at Eastern Service Studio since leaving the coast. He has 10 more to go on the current schedule, five of which are in preparation.

Business Gaining, RKO Group Is Told

CHICAGO, Feb. 20.—Business is on the upgrade, especially in the South, Cresson E. Smith, western and southern division manager for RKO, told a gathering of his sales forces here which closed tonight.

Screenings took up practically the whole day, with "Keep 'Em Rolling" and "Spitfire" the highlights. Talks were given this afternoon by W. E. Branson, Midwest district manager, Mort Singer, James Coston, Barney Balaban and Jack Connolly, general manager of Pathe News.

The home office representatives were: J. C. DeWahl, F. J. McConnell of the Van Beuren Corp., and Connolly. Chicago representatives were: Branson, Jack Osserman, branch manager; R. Nolan, E. Phelps, J. Clarke, W. Grolick, M. Kassel. Those from other branches were: Des Moines, B. J. McCarthy; Kansas City, T. R. Thompson; Milwaukee, A. N. Schmitz; Minneapolis, L. E. Goldhammer; Omaha, A. M. Avery; St. Louis, L. Elman; Sioux Falls, S. W. Fitch.

Talks by Singer, Costen and Jules Rubens ended today's meeting and Smith left for Memphis where another meeting will get under way Thursday.

RKO Contingent East

HOLLYWOOD, Feb. 20.—A. H. McCausland, J. R. McDonough, B. B. Kahane and Ned E. Depinet leave here Wednesday night for New York, where they are scheduled to arrive Saturday following several weeks of conferences at the Radio studios which resulted in numerous executive shifts announced earlier.

Allied Meet a Flop

TRENTON, Feb. 20.—A meeting of Allied of New Jersey here turned out to be a flop because of the heavy snowstorm. Only a handful of members attended.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"The Mystery of Mr. X"

(M-G-M)

HOLLYWOOD, Feb. 20.—Melodrama with unique suspense situations blended with unusually charming romance sets "The Mystery of Mr. X" for popular reception. Police murders in London, crime detection in Scotland Yard and a jewel robbery, intertwined with a love story, form the basis for the engrossing entertainment presented.

A polished jewel thief, Robert Montgomery, escapes while purloining a huge diamond, which links him with the murder of a London bobby, one of four already killed by the predatory Mr. X. With the police sure he is Mr. X, Montgomery inveigles himself into the good graces of the chief of Scotland Yard by testifying on behalf of the chief's future son-in-law, Ralph Forbes, accused of attacking an officer, although playfully. Montgomery's testimony admits him into the chief's home where he meets his daughter, Elizabeth Allen.

At the chief's home he discusses methods of capturing Mr. X, but excites the suspicion of Connor (Lewis Stone), assistant chief, who senses Montgomery's criminal tendencies. With the trail hot, Montgomery decides to outsmart Connor, goes after Mr. X himself, and in a slam-bang action finish, gets the murderer and wins the girl. The production, with Montgomery differently clever and with a strong supporting cast, seems destined to give fine entertainment satisfaction, especially to the masses. It is good in the creative departments and is peaked with the necessary box-office elements, including comedy.

The picture opens at the Capitol, New York, Friday.

"Dark Hazard," tonight's preview at the Rialto, was reviewed from Hollywood by wire on Nov. 20.

Charles Ford Comes To Reels' Defense

A defense of the newsreels in the form of a reply to an *American Mercury* article of last November, which described the reels as having "abandoned the service of history and set up shop as entertainers" was despatched to Alfred A. Knopf, publisher of the *Mercury*, yesterday by Charles Ford, managing director of Universal's Newsreel and author of the reply.

Ford's defense of the reels charges the article with "generalizations" and points out numerous shots of a historical nature obtained by the reels which were ignored or dismissed with slight attention by the author of the article.

K. C. Club Is Formed; Hensler Named Head

KANSAS CITY, Mo., Feb. 20.—A Variety Club was organized here today. Officers were named as follows: Frank Hensler, M-G-M, president; Arthur Cole, Paramount, first vice-president; Clarence Schultz, Commonwealth Theatres, second vice-president; Francis Ritter, Fox Midwest, secretary; Charles Shafer, Fox Midwest, treasurer. The following were elected to the board of governors: L. J. McCarthy, Fox Midwest; T. R. Thompson, Radio; Elmer Rhoden, Fox Midwest; Irwin Dubinsky, Ralph Li Beau, Paramount; William Warner, Warners.

Judell Gets Majestic

CHICAGO, Feb. 20.—B. N. Judell, Inc., has again acquired the Majestic franchise for this territory. Local Majestic branch will be closed with Mike Kahn, Majestic branch manager joining the Judell organization in charge of Majestic sales.

Fox Studios Using Two Writing Staffs

HOLLYWOOD, Feb. 20.—Fox has two writing departments, one for the Hollywood studio where Sol Wurtzel presides and the other for the Westwood Studio headed by Winfield Sheehan.

Jason Joy, who has just returned to the latter after several months back at the Hays office, gets the title of scenario editor. His duties will include cooperation with Julian Johnson, head of the story department; handling writers and their assignments, following through on scripts and conferring with producers on the written product.

Milwaukee Receives "Moulin" Travelers

MILWAUKEE, Feb. 20.—The "Moulin Rouge" caravan rolled into town with plenty of excitement. L. K. Brin, owner of the Garden, opened the place for a special show with the visitors at 75 cents top and sold out.

One of the features of the visit was a broadcast from station WISN, the *Sentinel-News* affiliate. Later the troupe broadcasted from the Hotel Schroeder over WTMJ.

Chicago is the next stop.

"U" Lab to Reopen

HOLLYWOOD, Feb. 20.—Universal will reopen its laboratory around April 1, having paid off $400,000 of its $1,000,000 loan from Consolidated, with the balance as a first mortgage on its studio properties. This means saving $300,000 yearly.

Mrs. Shenberg Dead

HOLLYWOOD, Feb. 20.—Mrs. Hymen Shenberg, mother of Mrs. Louis B. Mayer, is dead after a long illness at 72.

Insiders' Outlook

(Continued from page 2)

rumor, you know. . . . Cautious Erpi is pinning faith, certainly much and very nearly all, on those sound experiments conducted in the Engineering Society Building a couple of weeks ago. Privately, officials declare the potentialities lurking in the development which is Dr. Harvey Fletcher's are terrific. Fletcher is director of physical research of Bell Telephone Laboratories. You won't hear much about this perhaps for a couple of years but then. . . . What old-time circuit man is about to unload plenty and maybe make a lot of fellows uncomfortable? Curb your patience. You'll find out. . .

KANN

Para. Loaned U. A $3,000,000—Zukor

Paramount loaned United Artists $3,000,000 at one time but the transaction did not call for acquisition of any interest in the company, Adolph Zukor Paramount head testified yesterday in refuting an implied link between the two companies in the course of his examination in connection with the anti-trust suit brought by Frank Rembusch against major companies and the M.P.P.D.A. The suit, seeking damages of $2,000,000, is in its second week of trial before Judge Alfred M. Coxe in U. S. District court here.

Zukor's testimony was largely of a historical nature, dealing with the development of Paramount and other companies. He testified that at the height of its theatre expansion Paramount held "probably 800 or 900 theatres."

Preceding Zukor on the stand was Louis Phillips, of the Paramount legal staff, who introduced in evidence a large number of franchise agreements between Paramount and exhibition companies. He stated that such agreements made with independents outnumbered those made with affiliated concerns "15 to 1."

Grace McCracken, bookkeeper for Rembusch, a former Indianapolis exhibitor, testified that the complainant is now on parole from an asylum. The trial is scheduled to resume today.

P-P Meet Snowed Under

A meeting of Paramount Publix creditors scheduled for yesterday before Referee Henry K. Davis was postponed to Feb. 28, due to the inability of several attorneys to be on hand. Samuel Isseks, of counsel for Paramount Publix trustees, advised that he was snowbound in New Jersey, while Godfrey Goldmark, attorney for Paramount, was confined to his home with a cold.

Cooper Sticks with Par

HOLLYWOOD, Feb. 20.—Gary Cooper gave the lie to rumors that he would become a free lance upon completion of his current contract with Paramount by signing a new long termer with the company today.

BUCK LASSOS MAN-EATER!



n his great picture "Bring 'Em Back Alive" Frank Buck ave spell-bound audiences their first sight of the jungle at ar with itself, with its thrilling fights and survival of the trongest. In "Wild Cargo," his latest adventure, he now hows the jungle at war with Man. Not the war of guns and ruelty but the battle of wits between Man and his cunning ntagonists. There are thrills aplenty in this new film and ildly exciting surprises, such as the time when Buck had o saw off the tree limb on which a black panther perched and nother time when after trapping a tiger found that he had o descend into the pit and lasso the man-eater. Nature, it eems, conspired to save her biggest thrills for

FRANK BUCK'S "WILD CARGO"

Van Beuren Production . . . . . RKO Radio Picture

Directed by Armand Denis

COMING SOON!

The above graphic drawing is one of a series of scenes from "Wild Cargo", sketched from an actual "frame" of the film by the famous artist J. Clinton Shepherd. *There's no time for "stills" in a world full of thrills!*

Who? What? When?

Cincinnati

(Continued from page 1)

cated in the local high school there. He joined Universal Feb. 9, 1931, and has been branch manager here since that date. Earlier, Krieger spent 10 years locally with First National.

W. A. Finney, representing affiliated exhibitors on grievances, has been in the business many years, most of them with the Loew circuit. Stepping from the outdoor billboard field somewhere between 20 and 25 years ago, Finney became treasurer of the New Amsterdam Theatre, New York, and then joined the Loew organization as an assistant house manager in the Middle West. He has known E. A. Schiller, vice-president of Loew's, Inc., from the days when the latter was prominent in the theatre business in Atlanta. Finney is now district manager with a cute territory to cover, including Kansas City, St. Louis, Columbus, Dayton, Toledo, Akron, Canton and Indianapolis. He makes his headquarters in Columbus, where the circuit operates the two former Billy James theatres, the Broad and the Ohio.

John Elliott, representing unaffiliated exhibitors on grievances, is president and general manager of the Phoenix Amusement Co. of Lexington, Ky. The corporation operates several theatres, one each in Richmond and Paris. The Richmond house is the Madison, capacity 987. The Paris house is the Bourbon, capacity 709. Elliott is one of the oldest exhibitors in Kentucky and belongs to no national exhibitor organization.

Maurice White, representing affiliated national distributors on clearance and zoning, has been manager for Warners here for the last 18 months. From 1921 to 1928 he was alternately a salesman and a manager for First National, most of that time finding him stationed in Cincinnati in charge of the local office. For several months in the early part of 1932 he was booker for RKO Midwest here. From 1928-1931 White was branch manager for Columbia in New York.

Allan Moritz, representing unaffiliated distributors on clearance and zoning, has for years been identified with the sale of film. He started with Columbia on Sept. 2, 1931, and now is manager of its Cincinnati exchange.

Ike Libson, representing affiliated first runs on clearance and zoning, is a pioneer exhibitor who stepped out of virtual retirement a few months ago to operate as divisional manager for RKO the houses he himself built and sold to that company at top prices during the theatre boom. The deal by which he consented to return in charge of RKO Midwest gives him complete operating control of the houses which make up Midwest and, therefore, unchallenged control of the city. As Libson says and thinks, so goes the business in this southern Ohio city. Indicative of how RKO and Libson have matters their own way locally are their operations which include the Albee (3,317 seats), Palace (2,596), Paramount (2,161), Capitol (1,964), Grand (1,451), Lyric (1,394), and Family (1,070), all downtown. Libson also runs the Dayton division for RKO with James L. Weed as city manager, while here in Cincinnati Arthur Frudenfeld, former RKO divisional manager in Detroit, is the right bower. The Dayton group includes the Keith (2,696 seats), Colonial (1,696) and State (1,007). The latter is dark as is the Orpheum in Cincinnati.

J. Real Neth, representing unaffiliated first runs on clearance and zoning, is the best known independent operator in Columbus where he is widely known and affectionately regarded. His major house, a downtown first run there, is the Grand, which seats 1,000, but others in his circuit include the Cameo (560), Eastern (90(State (1,600), and Clinton (1,00(The latter are all subsequent r neighborhood houses. About 10 ye ago, Neth was associated with W liam M. James, who built the Bro and Ohio and later sold them Loew's. Neth is not affiliated with a national exhibitor organization.

Frank W. Huss, representing u affiliated subsequent runs on clearan and zoning, operates in Cincinn neighborhoods, his string embraci the Park, seating 480; Americus, se ing 500; Royal, seating 290; and I perial, seating 770. He has been theatre operator for 14 years and h no connection with any national e hibitor organization.

W. A. Keyes, second exhibitor re resenting unaffiliated subsequents clearance and zoning, today operat the Victory, a 1,414-seat house in Da ton, and has been for many years. T house, formerly a haven for legitima stage shows, switched to pictures abo five years ago. Keyes is not affiliat with any national exhibitor body.

Neth, Huss and Keyes former were affiliated with the Ohio M. P. O., however, but automatically reli quished their membership when t independent theatre faction througho the state withdrew from the unit up formation of the Independent Theat Owners of Ohio in Columbus la week.

Denver

(Continued from page 1)

exhibitors on grievances, is an old Publix man. He started for the company in Kansas City as manager of the Newman, subsequently becoming city manager there, and then district manager in charge of the Electric circuit, which Publix took over. The string included houses in Kansas City, Kan., and Joplin, Mo. When Publix made its operating deal with the Dubinsky brothers, Finske transferred to Denver, where he now operates that portion of the former Publix string which reverted to Joe Cooper in the court split of the circuit in that territory.

Burns Ellison, representing unaffiliated exhibitors on grievances, is the owner of the Federal here. The house seats 804.

J. H. Ashby, representing affiliated national distributors on clearance and zoning, had been manager for Pathe in Denver at the time RKO acquired the company about two years ago. The acquisition retained him as branch manager here, a post which currently he fills.

Wayne Ball, representing unaffiliated distributors on clearance and zoning, has held posts with Warners and Erpi. He joined Columbia as a branch manager on May 4, 1932, in this city, a post which he now holds.

Rick Ricketson, representing affiliated first runs on clearance and zoning, was formerly an independent operator of a small circuit and sold out to Fox West Coast during the regime of Harold B. Franklin as president. Later, he went to Los Angeles as manager of the Paramount and then returned to Denver as operator for Skouras of the Fox West Coast theatres in the mountain district, holding the post for the past two years. His division embraces 25 theatres. Locally, much opinion regards him favorably and recognizes him as a theatre operator of real merit.

Harry Huffman, representing unaffiliated first runs on clearance and zoning, is the kingpin of theatre operation in Denver today. All of the important houses here are under his wing, via operating and leasehold deals made with Paramount for the Paramount (2,000 seats) and Denver (2,500 seats) and with RKO for the Orpheum (2,600). Into the pool, Huffman threw his own Tabor (2,269) and Aladdin (1,500) and so sewed up all of the product in the city. It is understood his deals with Paramount and RKO give him a salary for operation, a split of the profits and no commitment to stand any of the losses. Operation is vested entirely in him. Some local opinion does not regard him as unaffiliated. His pooled company operates as General Theatres, Inc.

Henry A. Goodridge, representing unaffiliated subsequent runs on clea ance and zoning, is secretary of t International Amusement Co. wi headquarters here. The company ope ates the Ogden (1,221 seats) and Hi watha (785), Denver and the Liber Bell (650), Leadville. He belongs no exhibitor organization. Code A thority listed his first name as Harr This is incorrect.

Ed. J. Schulte, second exhibit representing unaffiliated subsequ runs on clearance and zoning, is vice-president and director of t Rocky Mountain Theatre Owner Ass'n and resides at Casper, Wy He is the owner of the Rex (8(seats), American (826) and Rial (840) in that town and the Roma (400) in Wheatland, Wyo. The Rock Mountain association is not affiliate nationally with either M. P. T. O. or Allied, although its leanings fro time to time have been toward t latter.

Kansas City

Kansas City, Feb. 20.— Ward Scott, representing affiliated national distributors on grievances, is a veteran Fox sales executive, his period of service with the company dating to Dec. 5, 1921, when he joined as manager in Denver after posts with Pathe and Mutual. On Jan. 31, 1925, he was shunted to Cleveland, where he broke all records for business at that Fox exchange. His record there resulted in a promotion to Kansas City. When John D. Clark became general manager of distribution, he promoted Scott to a district managership embracing Kansas City, St. Louis, Omaha and Des Moines. Scott makes his headquarters here.

William Benjamin, representing unaffiliated distributors on grievances, has been Universal branch manager here for two years, having joined the company on April 25, 1932. Prior to that, he was a district manager and a branch manager here for Columbia. This is his second association with Universal, the first having been in Indianapolis. Code Authority erroneously listed his first name as Bennie.

Lawrence Lehman, representing affiliated exhibitors on grievances, dates many years of his experience as a theatre operator to activities in Kansas City. From 1907 to 1910 he was assistant manager and treasurer of the Orpheum, Memphis. From 1910 to 1913 he was press agent for the Orpheum, Kansas City. Somewhere in that span of three years, Lehman also handled a stock company for Orpheum in the Middle West. For 17 years, or from 1911 to 1928, his activities in various directions centered in this city. Since 1921 he has been manager of the Main Street here and at one time was city manager for RKO in Kansas City. That post was dropped when the company confined its theatre representation to the one theatre, the Main Street. Lehman is a Shriner and an Elk and a linguist, to boot. He numbers German and French among languages he knows well.

Jay Means, representing unaffiliated exhibitors on grievances, is presider of the Independent Theatre Owner of Greater Kansas City, a local organ ization of independents which has n affiliation with either of the two na tional exhibitor associations. Whe Means talks, his viewpoint is gener ally regarded here as representative the independent operators in this city His theatres are the Oak Park wit 900 seats and the Bagdad with 1,00 seats.

Ralph Li Beau, representing af filiated national distributors on clear ance and zoning, is a Paramount vet eran. He has been with the compan two decades, 14 years of which hav

(Continued on page 12)

"SING AND LIKE IT"

". . . a preview audience shrieked from start to finish . . . William Seiter's direction is smooth and well timed for laughs. . . ."

Motion Picture Daily

"This is one of the funniest comedies let loose in years. William A. Seiter's perfect timing and sly intelligence in directing this film stamp him as a great comedy director. He never missed a trick—and they're all new ones."

Daily Variety

"'Sing and Like It' comes across as a grand piece of travesty which will regale any audience. Excellent trouping matched by smart direction of William A. Seiter, keep the pace and the pitch of the picture in high."

Hollywood Reporter

". . . side-splitting comedy that builds to a great climax, corking direction . . . one of the finest comedies in a long time. . . ."

Showman's Round-Table

Directed by

WILLIAM A. SEITER

AN RKO-RADIO PICTURE

No New Rules Seen In Germany's Code

(Continued from page 1)

more than a year. The new code will not alter the situation, they believe, and they regard the document as being in the nature of an industry manual based on existing Nazi laws and regulations.

Policies and activities of American companies in Germany are not expected to undergo any further change as a result of the appearance of the new code, as they were revised and adapted to the earlier legislation.

The code recognizes Dr. Paul Joseph Goebbels, Minister of Propaganda, as virtual "dictator" of production and exhibition, with power to pre-censor or ban scripts and to bar from exhibition in Germany any and all pictures of a producer or distributor who makes and releases a picture containing material not pleasing to the Nazi Reich.

Levey Talks Strike Call in All Houses

A general strike of ushers and janitors in the ranks of Local 118, Building Service Employes Union, was threatened yesterday by Charles C. Levey, secretary-treasurer of the local, in retaliation for the ultimatum issued by representatives of 95 per cent of the Greater New York theatre operators last week that they would refuse to negotiate with Levey's organization for an exclusive contract on the grounds that they were already fulfilling all labor provisions of the film code.

Levey said the strike order would be asked at a general membership meeting of the local to be held at Palm Garden on Monday. Next Tuesday, Levey said, he would take complaints against Loew's, involving the circuit's alleged refusal to reinstate two ushers unconditionally, to the National Labor Board at Washington and would, at the same time, file charges there against other circuits.

Levey petitioned the Regional Labor Board here for further action yesterday following Paramount's refusal to reinstate 17 ushers who walked out of the Paramount, Stapleton, S. I., following the theatre's refusal to negotiate a new wage contract. Paramount, on Monday, took the position that the walkout was improper and relieved it from further negotiations with the local.

Arbitration Agreed Upon in Kansas City

KANSAS CITY, Feb. 20.—Arbitration of Kansas City labor disputes has been agreed upon by exhibitors and the unions, who are awaiting definite word from Washington as to how to proceed. The only question is whether the arguments will go before the National Labor Board, Regional Labor Board or a local arbitration body, according to the operators' union. The arguments involve 60 houses, comprising Fox Midwest, Dubinsky and the independents.

Wampas Compromise

HOLLYWOOD, Feb. 20.—The Wampas compromised with producers today by agreeing to stage its star broadcast Sunday at 1 P.M.

Who? What? When?

(Continued from page 10)

been spent here. Li Beau was born in Indianapolis. Upon graduating from high school there, he went to work in machine shops of the Atlas Engine Works, where, after spending a year and a half, he was promoted to the drafting department and then to sales, being finally made assistant to the general claim agent in an engineering capacity. In 1908 Li Beau went to Kansas City and became cashier for A. D. Flintom, who at that time operated a penny arcade. In 1910 he was sent to Oklahoma City to take charge of the branch office of General Film, also owned by Flintom, and later was sent to Milwaukee for the same company. In the meantime, Flintom had become one of the original franchise holders of Famous Players Film and in 1914 Li Beau was transferred from Milwaukee to Des Moines to open an exchange. He remained in Des Moines when Paramount took over the exchange, and in 1920 returned to Kansas City in the capacity of district manager, his current post.

HARRY TAYLOR, representing unaffiliated distributors on clearance and zoning, dates his experience in the industry to 1909 and all of it here. He has been with Columbia for three years and, while a branch manager in Kansas City currently, was once a district manager for the company. His various posts included a one-time western salesmanagership with Universal, headquarters in New York, and a district managership for the Laemmles on local ground.

ELMER C. RHODEN, representing affiliated first runs on clearance and zoning, is another veteran Kansas Cityite. He once operated his own circuit in these parts and sold out to Fox Midwest when Harold B. Franklin was president of Fox West Coast, which controlled Fox Midwest. After the sale, he was retained by Franklin as district manager with headquarters here, a post which he still holds under Skouras direction. Fox Midwest no longer is numerically as strong as it was at its height, but even today its theatres total about 75.

A. F. BAKER, representing unaffiliated first runs on clearance and zoning, is president of the Kansas-Missouri Theatre Ass'n, which operates in this distribution area. He is also manager of the Electric in Kansas City, Kan. The theatre seats 1,500. The Kansas-Missouri Theatre Ass'n has no national exhibitor affiliation.

FRED M. MEYN, representing unaffiliated subsequent runs on clearance and zoning, is operator and manager of the Pershing, a 790-seat house in Kansas City, Kan., and a member of the I. T. O.

E. E. WEBBER, second exhibitor representing unaffiliated subsequent runs on clearance and zoning, is operator and manager of the Mary Lue, capacity 660. Like his board associate, Meyn, he is a member of the I. T. O.

Aylesworth Reports Television Advance

Television is making tremendous advances in the laboratory, but will have to await further technical development and a favorable market before it becomes a public commodity, said Merlin H. Aylesworth, president of NBC and of RKO, on his return from the coast.

"One reason it isn't ready yet," he added, "is that a television receiving set would cost about $300. I can't believe there would be much market for sets at that price. Another reason television isn't ready for public consumption is that it now has a short range. We can reach only 15 miles around New York with our experimental apparatus."

Clevelanders to Detroit

CLEVELAND, Feb. 20.—J. E. Fontaine, president of the local Variety Club, will head a delegation of 40 who will attend the Detroit Variety dinner on Feb. 24. A special car will take the party, leaving here at noon on Saturday, and returning Sunday night.

Latin Producer Here

Pedro Sambarino, of the Sambarino studios of South America, has arrived in town with a feature film taken amid the ruins of the Incas at Cuzco, Peru. Inter-Americas will distribute it.

M-G-M Changes Title

M-G-M has changed the national release title of "The Mystery of the Dead Police" to "The Mystery of Mr. X."

Open Sunday Outlook Elates Kentuckians

LOUISVILLE, Feb. 20.—Rural exhibitors in Kentucky are elated over the prospect for Sunday shows, as they consider it certain that Governor Ruby Laffoon will sign the bill passed by both the House and the Senate.

Larger cities have had open Sundays for some time, as the blue laws have not been enforced, but in smaller communities houses have always been dark.

Iowa Blue Repealer Up to Legislature

DES MOINES, Feb. 20.—A bill seeking the repeal of Iowa's blue laws which, if passed, would legalize Sunday shows in this state, has been introduced in the legislature here.

The governor today signed a bill prohibiting walkathons. The bill had the support of state exhibitors who regarded the events as theatre competition.

Mull Two-a-Day Show

Columbia executives are mulling over the idea of showing "No Greater Glory" at two-a-day on Broadway. Home office officials took a peek at the picture late Monday night and claim it's the greatest the company ever made.

Doran With Group Thea.

D. A. Doran, Jr., until recently head of the eastern story department for Fox, has joined the Group Theatre as a partner. He will have a part in the production of "Gentlewoman," by John Howard Lawson, which opens March 19.

Loew's, Paramount Await K. C. Moves

(Continued from page 1)

of that city are actually in effect, representatives of both companies said yesterday.

If the subsequent run exhibitors carry out their announced intention of eliminating all forms of giveaways and raise 10-cent admissions to a 15-cent minimum, both circuits will then consider a revision of policy which would eliminate duals and maintain a 40-cent instead of a 25-cent admission, their spokesmen declared. Loew's Midland already has the 25-cent policy. Paramount's Newman is scheduled to inaugurate it Friday, with duals.

RKO will maintain its present policy of 40 cents admission at the Main-street for single features and 65 cents with stage shows, spokesmen for the company said yesterday.

KANSAS CITY, Mo., Feb. 20.—The agreement arrived at yesterday by suburbans to eliminate price evasions is endangered by a number of insurgents. If the deal fails the theatres plan to run wild on dime admissions, duals and giveaways to counteract price slashing at first-runs.

Ohio Showmen Worry About New Taxation

COLUMBUS, Feb. 20.—Opinion in the industry appears divided as to the fate of the 10 per cent amusement tax despite pressure brought to bear by exhibitors and other opponents of the impost.

After passing bills to appropriate $3,000,000 to finance the old-age pension system, approved by the voters last November, and $5,000,000 to aid weak school districts, without knowing from where the money will come the legislature has recessed until March 6, to await drafting of the second phase of the fiscal program by the special taxation committee.

Meanwhile, three new sources of revenue have been suggested to the committee by Carlton S. Dargusch, special taxation commissioner. They are: Three per cent retail sales tax, 2½ per cent tax on gross annual receipts, and a combination two per cent sales tax and one per cent individual income tax.

It is estimated that each of the three plans will yield approximately $51,000,000 yearly. One probably will be recommended by the committee, but whether it can be passed by the legislature as a replacement measure for the nuisance tax remains a question of considerable doubt. The nuisance tax, including admissions, is designed to help care for the weak school districts and poor relief. Part of the latter has been absorbed by the CWA.

Birmingham Houses Win 10% Tax Fight

BIRMINGHAM, Feb. 20.—Theatre interests won a victory here today when the City Commission announced it has abandoned plans for a 10 per cent tax on admissions and, instead, would levy a general sales tax of one per cent effective March 1.

Theatres are willing to pay their share of the sales tax, but they battled unitedly against any special tax classifying amusements as a non-essential business.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

OL. 35. NO. 44 NEW YORK, FRIDAY, FEBRUARY 23, 1934 TEN CENTS

lays Denies Interest in Film Boards

PPDA Connection Only "Indirect," He Says

The M. P. P. D. A. was interested ly "indirectly" in Film Boards of ade, Will H. Hays testified Wed-sday at the trial of the Frank Rem-sch anti-trust suit against major mpanies now under way before dge Alfred M. Coxe in U. S. Dis-ct Court here.

Hays said he was "not familiar" th the functions or duties of the m Boards, being aware of their op-ations in only a general way. When own what was purported to be a py of a report on the boards sub-tted to the board of directors of M. P. P. D. A., Hays said that

(Continued on page 12)

nsurgents Oppose Kansas City Pacts

Kansas City, Feb. 22.—Efforts to d the downtown price war here by ans of an agreement among subur-ns to eliminate giveaways, 10-cent kets and other practices may hit e rocks because of the opposition of ur houses.

A majority of the houses have al-dy signed an agreement, according a committee in charge of gathering

(Continued on page 12)

WC and F & M Call Off Theatre Dicker

Los Angeles, Feb. 22.—Because of fferences arising from an operat-g arrangement in San Francisco, ox West Coast has called off its deal ith Fanchon & Marco, whereby the rmer would turn over seven houses the latter for operation.

As a result of the dropping of the

(Continued on page 12)

Story Buy

"Snowbound," a saga of the cold country, written by Charlie Einfeld and dealing with his winter hibernation in the wilds between Scarsdale and Larchmont, probably will appear on the Warner schedule next season as a super-super. It ought to be hot.

Relief of Authority Members From Legal Liability Planned

Washington, Feb. 22.—Amendment of all codes to relieve members of code authorities from responsibility for acts of their fellow members is planned by the National Recovery Administration.

A provision for inclusion in codes relieving authority members of responsibility for all but their "own wilful mis-feasance or non-feasance" has been drafted by the legal division of the administration and laid before a number of industries for consideration.

The new clause provides that "nothing contained in this code shall constitute the members of the code authority partners for any purpose, nor shall any member of the code authority be liable in any manner to any one for any act of any other member, officer, agent or employe of the code authority; nor shall any member of the code authority, or any agent thereof, exercising reasonable diligence in the conduct of his duties hereunder, be liable to any one for any action or omission to act under this code, except for his own wilful mis-feasance or non-feasance."

Imports Hold Up in Face of Nazi Upheaval

Washington, Feb. 22.—In spite of all the turmoil incident to Nazi reorganization of the German film industry, American film imports reached 213 features for 1933, an increase of three over 1932 and 69 below the total for 1931.

These figures are contained in a summary of German conditions sent to the Bureau of Foreign and Domestic Commerce of the Department of

(Continued on page 2)

NRA Awaiting Onslaught of Code Critics

Washington, Feb. 22.—To what extent critics of the film code—especially Allied—will avail themselves of Administrator Hugh S. Johnson's invitation to lay all cards on the table here Feb. 27 is a subject for speculation.

Observers agree that the whole subject has been laid wide open for further discussion, although specific complaints about the workings of the film

(Continued on page 8)

Who? What? When?

THIRD in the series of biographical sketches of the men in the field who will keep the code going. Already published have been data on boards in Cincinnati, Denver, Kansas City, Los Angeles, Minneapolis and Seattle.

Today's instalment covers Dallas, Indianapolis and St. Louis.

Dallas

Dallas, Feb. 22.—Leroy R. Bickell, representing affiliated national distributor on the Dallas grievance board, has romance in his business background. He first became interested in pictures while running a locomotive on the Louisville and Nashville out of Birmingham, Ala. In 1907, which is a couple of centuries as this business goes, he opened Oklahoma City's second theatre. The date may be historically significant; it was on Feb. 11. On Hallowe'en Night

(Continued on page 6)

Indianapolis

Indianapolis, Feb. 22.—J. Harold Stevens, representing affiliated national distributors on the Indianapolis grievance board, entered the employ of Paramount in the Boston exchange on June, 1925, as a booker. Two years later he was made a salesman. In 1929 came an appointment as branch manager covering Maine. In October, 1932, came his transfer to Indianapolis where he has since remained in charge of the company's exchange.

Floyd Brown, representing unaf-

(Continued on page 6)

Allied's Suit Reported Off; Myers Says No

Rumor Code Qualification Rule May Be Changed

Reports were current Wednesday that Allied's suit against Code Authority had been "virtually settled" and signing of out-of-court agreement hinged on one point. The suit, slated to come up in the U. S. District Court today, according to reports, will not be heard and is set for another postponement if the reputed settlement is not reached this morning.

The suit of the Congress, Newark, an Allied member, pivots about signing code assents with qualifications. It is understood that if the action is settled out of court, the qualification angle will be modified, but to what extent could not be learned late Wednesday.

Spokesmen for Code Authority de-

(Continued on page 8)

Report Rosenblatt Wants ITOA Roster

Division Administrator Sol A. Rosenblatt is understood to have requested from Harry Brandt a bona fide list of all members in the I. T. O. A. Rosenblatt, it is understood, is seeking this data before he sits down with Brandt and attempts to formulate a basic wage scale for local houses. A meeting on the local operator question is tentatively set for Monday.

M. P. Daily's Flash First in Cincinnati

Cincinnati, Feb. 22.—Official appointments to the local grievance and zoning and clearance boards, as flashed here by wire from Motion Picture

(Continued on page 8)

250,000 Daily

Approximately 250,000 persons attend theatres in New York City daily, Paul Hollister, vice-president of Macy's, told the Ampa Wednesday. He said the figures were supplied by the Hays organization.

Daily attendance at Macy's, he said, averages from 100,000 to 150,000.

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(Registered U. S. Patent Office)

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Raynor Quits F. D. Post

ALBANY, Feb. 22.—William Raynor has resigned as manager of the First Division exchange here. No successor has yet been appointed.

Al Friedlander left late Wednesday afternoon for a tour of all First Division exchanges. He will be gone indefinitely.

Sherman Not Out

Despite a general shakeup in the *Morning Telegraph* editorial staff, Al Sherman continues as film critic. Will Gordon, who was recently let out, has also returned to the staff.

MOTION PICTURE ALMANAC

1934-35

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PRICE $5.00



Imports Hold Up in Face of Nazi Upheaval

(*Continued from page 1*)

Commerce by Trade Commissioner George R. Canty in Berlin.

The decline of American film imports into Germany has been steady since the high total of 560 in 1924, but the relative percentages have not changed much. In 1924 the U. S. had 33 per cent of the imports and last year it had 31 per cent. In 1924 imported pictures made up 39 per cent of the total shown in Germany and last year they were 57 per cent, showing a decline in German production as a result of the reorganization. This has been made up for, Canty's report shows, by the cutting down of double features, with their total elimination set for next August.

Ufa continued the biggest German producer with 20 features. T. K. and Aco were second best with six each.

Before sound, Germany depended for 40 per cent of its turnover on exported films. With this cut off, due to the language barrier, foreign boycotts against Germany because of the anti-Jewish moves, and depreciated currency, expenses have been slashed. An average of $50,000 is now set for features, according to Canty, with $40,000 for foreign versions and $10,000 for dubbed versions. It is estimated that $6,000,000 was spent for so-called direct-shot features in 1933; $1,000,000 for foreign versions, and $400,000 for dubbed versions. The total number of features produced was 121.

Total number of theatres is estimated at 5,050, with a seating capacity of 1,900,000, an average of 30 seats per thousand of inhabitants. About 75 per cent are wired.

Canty's remarks on exhibition follow:

"The reorganization of theatre owners into a single body in the Film Chamber did much to correct a previous system filled with sharp practices. Exhibitors now feel that they are amply protected against exorbitant film rentals by their membership in the Film Chamber; they have profited by the uniform minimum admission-price order of the Chamber; they expect further assistance in the forced withdrawal of approximately 1,000 theatre licenses in districts which are overseated, and also the elimination from the industry of exhibitors who failed to prove their merit; in a revision of their sound equipment contracts in order to reduce payments; and, in the future, the adoption of a standard renting contract with the film distributors and a much needed relief in the entertainment tax."

Changing Times

The Waldorf, subsequent run house on West 50th, between the Roxy and the Music Hall, advertised "Secrets" on Wednesday as follows:

Leslie Howard
in
"Secrets"
with
Mary Pickford

Audio Changes Studios

Audio Productions has moved its camera and animation work from the Bronx Studios to the Fox plant at 10th Ave. and 56th St. More space is provided for John Foster, who is in charge of the animations. Alex Gansell has been added to the production staff of Visugraphic Pictures, Inc., which produces one of the Audio series.

Hathaway Promoted

HOLLYWOOD, Feb. 22.—Henry Hathaway, for 14 years a prop boy and assistant director, who has been directing Paramount westerns for two years, has been given a new contract to direct features.

Plottel to Winnipeg

Jules Levy, general sales manager for RKO Radio Pictures, has named Mark Plottel as branch manager of the Winnipeg exchange. He succeeds L. H. Watrous, resigned.

Trading Light on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	25⅞	25⅞	25⅞	+ ⅜	100
Consolidated Film Industries	5	5	5	.....	200
Consolidated Film Industries, pfd	17	16⅝	16¾	— ⅛	1,300
Eastman Kodak	93	92¾	92¾	+ ¾	300
Eastman Kodak, pfd	133	133	133	+3½	2,000
Fox Film "A"	16½	16½	16½	.....	500
Loew's, Inc.	33⅜	32⅝	33	.....	5,700
M-G-M, pfd.	24	24	24	— ⅜	100
Paramount, cts.	5¼	5	5	— ⅛	12,100
Pathe Exchange	3⅜	3⅛	3¼	+ ⅛	2,200
Pathe Exchange "A"	17	17	17	— ⅝	100
RKO	4	3¾	3¾	— ⅛	4,600
Warner Bros.	7½	7⅜	7¼	.....	4,300

Sentry Up 1-16 on Curb

	High	Low	Close	Net Change	Sales
Sentry Safety Control	7/16	7/16	7/16	+ 1/16	200
Technicolor	10	9⅞	10	.....	200

Loew Bonds Gain 2½

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	12	11	11	— ⅜	14
General Theatre Equipment 6s '40, ctf	10¼	10⅛	10¼	+ ⅛	13
Keith B. F. 6s '46	62	62	62	— ⅛	3
Loew's 6s '41, ww deb rights	97¼	96½	97½	+2½	1
Paramount Broadway 5½s '51	38	38	38	—1	1
Paramount F. L. 6s '47	46	46	46	.....	1
Paramount Publix 5½s '50	46½	46⅜	46⅛	—1⅞	4
RKO 6s '41, pp	33½	33	33½	+ ½	2
Warner Bros. 6s '39, wd	57	56	56	—1½	10

(*These quotations are as of Wednesday, Feb. 21*)

Purely Personal

M. S. TROP, president of Gem Pictures and Goofytone Newsreel, and G. S. GULLETTE and E. S. SHANBERGER are back from a southern trip during which they have been studying audience reactions.

HARRY ROSENQUEST, assistant to NORMAN H. MORAY, Vitaphone sales manager, is back from a two-week trip to Toronto, Buffalo, Rochester, Montreal and Binghamton.

GREGORY RATOFF is in town for a brief stay. He will make personal appearances in Newark and Boston and will sail for England March 10.

MARY PICKFORD will return to the scene of some of her early triumphs at Biograph today to turn a crank on a camera for a scene in "Frankie and Johnnie."

PEDRO DE CORDOBA and ROBERT M. MIDDLEMASS have been added to the cast of "Frankie and Johnnie," now being produced by CHESTER ERSKIN at Biograph.

CHARLES FORD of "U" Newsreel has issued bullet proof vests to the reel's cameramen in China and Cuba and has a supply on hand for men on hazardous assignments here.

JOHN SKILLMAN, who was a New York sales student at Fox, is taking on additional experience out of the Washington office.

CLAUDE RAINS, "The Invisible Man," is here rehearsing for a Theatre Guild play during a leave of absence from Universal.

HARRY H. THOMAS, president of First Division Exchanges, has returned from a three weeks' vacation in Miami.

CLARK GABLE gets in from Baltimore this morning ready to start a week of personal appearances at the Capitol.

LANNY ROSS will head for New York as soon as he finishes work in "Melody in Spring" for Paramount.

WILHELM SPEYER has sold "A Hat a Coat and a Glove" to Radio. JOHN BARRYMORE will be starred.

HAL LEROY will go on a personal appearance tour after the opening of "Wonder Bar" next Wednesday.

WATTERSON R. ROTHACKER and his family leave for Florida today or tomorrow.

EDWIN LUDIG has been named musical director for Audio Productions, Inc., by W. A. BACH, president.

NATE BLUMBERG and the missus arrive in Bermuda today and start right back again.

GRAD SEARS is on a sales trip through the Southeast.

Named to Research Body

HOLLYWOOD, Feb. 22.—J. T. Reed president of the Academy of M. P. Arts and Sciences, yesterday appointed Sam Briskin chairman and Nathaniel Levinson vice-chairman of a new research council. A meeting will be held this week to map out plans for financing this work.

Warners Change Title

HOLLYWOOD, Feb. 22.—Warners have selected "Rhythm in the Air" as the final title of the Radio feature hitherto called "Hot Air."

NEWS OF WEEK IN PHOTO-REVIEW



FIRST RECORD FOR 'WONDER BAR' set at Miami world premiere, where Sparks' Community Theatre hailed midnite opening 'biggest in house history'!°



BIG PARTY for America's exhibs set for March 6th when 'As The Earth Turns'* and 5 other Warner spring specials go on nation-wide parade at all exchange centers.





THEY LAUGHED when he sat down to play the piano — and kept right on laughing, at coast preview of 'Harold Teen', Hal LeRoy laugh musical en route East for release.*



ANOTHER MOUTH TO FEED on Warner lot is Gordon Evans, miniature Joe E. Brown picked from thousands for role in 'Sawdust,' comedian's next.°



STARTING THE BALL ROLLING with zip debut in 'Dames', coming Keeler-Powell musical, is Barbara (Snooney) Blair, latest kill in Warner beauty hunt.*

'MANDALAY' HOLDOVER at N. Y. Strand reflects new glory on Kay Francis' third successive Warner hit.°

*A Warner Bros. Picture °A First National Picture Vitagraph, Inc., Distributors

THE FAN DANCER!

Only Leo can do it! Week after week the biggest STAR names on your marquee!

BELOW:
Dodger used by State Theatre. Print one for your own theatre.

PARADE OF ★ STARS ★
coming to the
STATE THEATRE

★ Glamorous! Glorious!
GARBO in
THE SECRET LOVES OF "QUEEN CHRISTINA"

★ Song Birds! Love Birds!
RAMON **NOVARRO**
JEANETTE **MacDONALD**
"CAT AND THE FIDDLE"
Season's Gayest Musical Comedy Hit!

★ Lionel **BARRYMORE**
"THIS SIDE OF HEAVEN"
His most lovable, human role!

★ Robt. **MONTGOMERY**
"MYSTERY OF MR. X"
Girls! It's fun to be terrified by a handsome man with loving arms!

★ Wallace **BEERY** in
"VIVA VILLA"
"The Big Parade of 1934"

★ You've waited! You've heard for months about it! It's here!
NORMA **SHEARER**
in "RIP TIDE"
She's more beautiful than ever! A glorious romance to welcome her back!

★ ★ ★ ★ ★ ★ ★ ★ ★
STARS! STARS! STARS!




IONEL
BARRYMORE
"THIS SIDE OF HEAVEN"
MONTGOMERY
"MYSTERY OF MR. X"
and "RIP TIDE"
SHEARER
"RIP TIDE"

Dallas

(Continued from page 1)

first picture show, according to known records, in Ardmore, Okla., operating there until 1912 when he joined Mutual as a salesman. He hit the road for a couple of months and then found a job as manager in the same company awaiting him. Continuing there until 1914, Bickell's biography shows he gave it up to go to California with Al Jennings in connection with the latter's production, "Beating Back." Upon its completion, Bickell exploited the picture and also sold it on a state rights basis. In 1915, he returned to Dallas as manager of the Paramount office, then joined Universal, then dipped into exhibition again with purchase of the Rex at Waco which he operated until February, 1917, when he became associated with E. H. Hulsey, whom old-timers will recall in connection with stirring film days in the Southwest. Hulsey, at the time, had just purchased the Metro franchise for the territory. On March 27, 1930, Bickell became branch manager for Metro which had since acquired the "G" and the "M" and here he has been ever since.

Claude Ezell, representing unaffiliated distributors on grievances, dates back his film experience over the trail to 1906 and the Bass Film Co. of New Orleans. He spent many years in the employ of General Film where his posts included branch managerships as well as a division managership in charge of the South, which was more or less as it should have been, for Ezell was born in Mexia, Texas, on July 9, 1882. Followed an executive sales post with Select and then an affiliation of some years with Warners during which he was southern as well as western sales manager. In December, 1928, he was made general sales manager by Sam E. Morris, now in charge of Warner foreign sales, but then in charge of the domestic and Canadian sales machine. Ezell quit Warners on Nov. 13, 1931, to return to his native clime as an exhibitor and a distributor. Currently he is in partnership with William Underwood with whom he operates the Independent Film Distributors, Inc., in Texas, Oklahoma and Arkansas and handles Monogram product. His theatre affiliations include the Duel Amusement Co., Community Theatre, Inc., and Palace Theatre Co., all of San Antonio; and the Oklahoma Enterprises, Inc., and Chickasha Amusement Co. of Oklahoma.

Karl Hoblitzelle, representing affiliated exhibitors on grievances, is the founder and owner of the Interstate Circuit of Texas, comprising about 40 theatres, and is the operator of approximately 30 other houses owned by Southern Enterprises of Texas, a Paramount subsidiary. This circuit operates in Austin, Dallas, Ft. Worth, Galveston, Houston and San Antonio. Hoblitzelle is a member of the Paramount national theatre advisory committee. His Interstate Circuit was developed over a period of years, beginning about 1916. In 1929 he sold out to RKO, which subsequently turned the houses over to the Hughes-Franklin Circuit. When the latter organization broke up, RKO repossessed the properties and in late 1932 returned them to Hoblitzelle. In 1933, with the receivership of Southern Enterprises of Texas, Hoblitzelle closed a deal with the receivers for the operation of the properties, which include the former Dent and Pascall circuits. Easily, one of the best known theatremen in the Southwest.

Roy L. Walker, representing unaffiliated exhibitors on grievances, is a former Federal judge of the circuit court, but now an exhibitor and president of the Theatre Owners' Protective Ass'n. of Texas, an affiliate of the national M.P.T.O.A. His association was organized to offset activities in this sector of Colonel H. A. Cole, president of Allied Theatres of Texas, and a bulwark in the national Allied States Ass'n. Walker today practices law in his home city, Lampasas where he owns the 585-seat Le Roy and is believed to hold an interest with Messrs. Cluck and Baker in the 469-seat Beltonian at Belton and the 450-seat Palace in Brady, Tex.

Claire E. Hilgers, representing affiliated national distributors on clearance and zoning, had a long experience as a film salesman before joining Fox, his various posts including Preferred Pictures, which Al Lichtman, B. P. Schulberg and J. G. Bachmann once headed on their own; Robertson-Cole, the forerunner of FBO and RKO; Metro and Paramount. He resigned from the latter company on Jan. 1, 1922, to become a salesman for Fox out of Dallas. On Jan. 9, 1928, after having filled sales and managerial jobs again for Metro and Paramount in the intervening period, Hilgers again returned to the Fox fold to become manager in Kansas City. His record reveals he developed that office from one of the tail-enders in the national setup to one of the first ten in the country. On Nov. 11, 1929, he was transferred to Dallas and has remained here as manager since.

Edwin Stanhope Olsmith, representing unaffiliated distributors on clearance and zoning, was born in Paris, Tex., on Dec. 22, 1888. His education includes one year at the United States Naval Academy at Annapolis. His film experience includes posts with Pathe, P.D.C., Tiffany and Glen W. Dickinson Theatres, Inc., which operate in Kansas and Missouri. Olsmith joined Universal on May 9, 1932, and currently is manager of its local exchange.

R. J. O'Donnell, representing affiliated first-runs on clearance and zoning, is an operating associate of Karl Hoblitzelle in Interstate Circuit of Texas and Paramount's Southern Enterprises of Texas, comprising Paramount's southwest division theatres. He was operating chief for Hoblitzelle in Interstate for many years and was in charge of its vaudeville and stage presentation interests. He became associated with Publix in 1929 when RKO took over Interstate from Hoblitzelle and worked out of the Publix home office in New York for a time. In 1930 he was made division manager of Saenger Theatres by Publix and later was assistant to William Saal at Dallas in the operation of Publix southwest theatres. Thereafter, he became Publix division director in charge of both Saenger and southwest theatres. With the decentralization of Publix and culmination of the operating deal between Hoblitzelle and receivers for Paramount southwest theatres, O'Donnell again became an operating associate of Hoblitzelle.

Who? What? When?

Harold Robb, representing unaffiliated first-runs on clearance and zoning, is head of the Robb & Rowley Circuit which operates an independent circuit of about 16 theatres in Texas, two theatres at Little Rock, Ark., and a string in Oklahoma. The circuit's headquarters are in Dallas. Robb and Rowley houses in Texas include these: the Ritz (800 seats), and Queen (500) in Big Springs; Ritz (2,326), Palace (1,250), Melba (1,000), Rio (400) and Agnes (748) in Corpus Christi; the Texas (1,600), Mirror (920), Rosewin (600) and Midway (600) in Dallas; Princess (600) and Strand (400) in Del Rio; Royal (1,009), Strand (930) and Rialto (504) in Laredo; the Texas (1,000) and Ritz (750) in Palestine; the Texas (1,700), Ritz (800), Royal (800), Lyric (700) and Angelo (425) in San Angelo; the Texas (900) and Washington (472) in Sherman; Palace (650) and Ritz (400) in Sweetwater; Palace (500) and Best (35) in Hillsboro and Dixie (600) and Empire (300) in Waxahachie. Oklahoma holdings embrace the Liberty (700 seats) in Durant; the Okla (750) and Mecca (450) in McAllister; and Ritz (1,480), Broadway (900), Grand (423) and Yale (38) in Muskogee. Robb and his partner, Ed Rowley, have been theatre operators on these plains for many years. Both of them are very well known to the New York executive fraternity. Robb and Rowley are members of the Theatre Owners' Protective Ass'n. of Texas.

Paul Scott, representing unaffiliated subsequent runs on clearance and zoning, is a Dallas man. He is the owner of the Varsity, capacity 905, and was once a strong adherent of Allied of Texas. It is understood here he has come to the parting of the ways, however, with Colonel Cole.

L. C. Tidball, second exhibitor representing subsequent unaffiliated runs on clearance and zoning, is the owner of the Isis (400 seats) and Rose (452) in Fort Worth where he makes his home. His exhibitor political affiliation is reported to have veered from Cole of Allied to Walker of M.P.T.O.A.

Indianapolis

(Continued from page 1)

filiated distributors on grievances, was born on Dec. 26, 1884, in Stewardson, Ill. Father, American. Mother, Swedish. Three years of his educative period were spent in a study of electrical engineering. He broke into the film business with First National and P.D.C. and joined Universal on Dec. 15, 1930. Currently, Brown is branch manager for that company in this city which is the scene of most of his celluloid experience.

I. M. ("Izzy") Halperin, representing affiliated exhibitors on grievances, is managing director of the Indiana for Monarch Theatres, an unaffiliated circuit established a year ago by Milton Feld and David J. Chatkin, former Publix executives. Halperin is a cousin of Sam Katz, former head of Publix, now inactive although reputed to be financially interested in Monarch. Halperin was a Publix executive for about eight years, having been associated wit B. & K., Chicago, then going to th home office as assistant to Jack Par ington, head of the Publix stage pr duction department; later heading th department himself. Subsequently h was made division theatre manag at Detroit, a post he held until h resignation in 1932. He became a sociated with Monarch at its inceptic a few months later. There is son confusion locally over his appoin ment as representative of affiliated e hibitors, since Monarch Theatres, far as is known, has no producer distributor-ownership hook-up.

Charles Olsen, representing u affiliated exhibitors on grievances, the operator of the 2,000-seat Lyr which he originally built and leas for seven years to Fred Dolle Louisville. Olsen has had the hou back for about six months and is no operating himself.

George Landis, representing a filiated national distributors on clea ance and zoning, has been a Fox ma here since 1923. He got going wi the company locally as a salesma and was made manager in 1923. Tw years later, a shift returned him to salesman's job here. Again in 192 Landis was given the office and h been manager from that day to this.

Marty Solomon, representing u affiliated distributors on clearance a zoning, is a New Yorker now resi ing in Hoosier land as local manag for Columbia. He joined the compa on Nov. 8, 1930, was given Indian polis and has stuck to it since t appointment was handed out.

Jack Flex, representing affiliat first-runs on clearance and zoning, the manager of Loew's Palace, a 3 000-seat dreadnaught, and has be since 1928. Before that, he was assis ant manager in Loew houses in Was ington. Age, about 33.

Kenneth Collins, representing u affiliated first-runs on clearance a zoning, manages the Apollo, operat by Fred Dolle of Louisville and I dianapolis, first-run outlet for Fo product under long-term franchis Collins has held this post for t last seven years.

Manny Marcus, representing u affiliated subsequent runs on clearan and zoning, headquarters in Fo Wayne. He is the operator of t Alamo (500 seats) and Cozy (300 grind houses in Indianapolis, and first-run in Fort Wayne.

A. C. Zaring, second exhibit representing unaffiliated subseque runs on clearance and zoning, is a old-time Indianapolis showman, da ing back to 1914. His interest cu rently is centered in the Egyptian, 1,077-seat theatre.

St. Louis

St. Louis, Feb. 22.—B. B. Rei gold, representing affiliated nation distributors on the St. Louis grie ance board, is local branch manag for Fox. Before joining the compa almost 10 years ago, he was manag in Chicago for the old Goldwyn com pany, prior to its purchase by Marc Loew. He remained there one ye and, at the time of the consolidati with Metro, was transferred to Ci cinnati. Prior to his managership f Goldwyn in Windy City, he was a

(Continued on page 8)

SID GRAUMAN

books the first newsreel in three years at the Chinese Theatre!



17NJG 84 NL HY HOLLYWOOD CALIF FEB17 1934
CARL LAEMMLE PRESIDENT
UNIVERSAL PICTURES CORP 730 5TH AVE NEW YORK NY

UNIVERSAL NEWSREEL HAS JUST COMPLETED ITS FIRST WEEKS SHOWING IN GRAUMANS CHINESE THEATRE AND I AM HAPPY TO ADVISE YOU THAT THIS REEL HAS CONFIRMED OUR EXPECTATIONS AND HAS MET WITH A MOST FAVORABLE REACTION FROM OUR AUDIENCE STOP FOR THREE YEARS WE HAVE OPERATED WITHOUT A NEWSREEL AND IN MY OPINION UNIVERSAL NEWSREEL ALONE MEASURES UP TO THE HIGH STANDARD OF ENTERTAINMENT ESTABLISHED AT GRAUMANS CHINESE THEATRE IN HOLLYWOOD WHERE AS YOU KNOW OUR POLICY IS TWO SHOWS DAILY STOP BEST WISHES SINCERELY

SID GRAUMAN

UNIVERSAL NEWSREEL

NRA Awaiting Onslaught of Code Critics

(Continued from page 1)

code probably will not be extensive in view of the fact that code boards have not started to function.

Practically no limitations were placed upon the subjects to be discussed in General Johnson's broadcast. He admitted that in the haste of setting up the NRA "there are things in some codes that ought not to be there and things are out of some codes that ought to be there," but later in his speech he said: "I don't mean by any means to say that there is anything so much the matter with the codes as they stand that they all have to be reopened and turned inside out."

Complaints and criticisms and suggestions are to be received in writing as well as verbally and are to be taken up further at the series of conferences of code authorities to start March 5.

What he seems to be aiming at is that all critics of the NRA can get their complaints off their chests in public with a chance of having something done about it. The aim of the NRA, he said, is to perform a triple duty, which he described as follows:

"It is to see that industry does not hornswoggle labor; that labor does not bullyrag industry; that neither, separately, nor both in concert, shall exploit the consuming public. Thus we sit always in the white heat of controversy. Industry accuses labor, labor accuses industry and the consumers accuse both. All these make the welkin ring with their complaints against everybody but themselves."

Later he said: "We ask no quarter and we will eagerly study all that is said." Then he called the coming conferences as a "field day for criticism."

In concluding he said: "No code authority can afford to be absent from the great code conference of March 5 which will be opened by the President. Policies of universal application will be discussed then, and action may be taken profoundly affecting many codes."

M. P. Daily's Flash First in Cincinnati

(Continued from page 1)

DAILY, caused animated discussions among various trade groups immediately upon the announcement being made.

The discussions are punctuated with considerable speculation over the grievance board appointees to the extent that it concerns the non-resident members, not from a standpoint of personal ability, but of territorial locations, which resolves itself into a question of the constant availability of the out-of-town members to participate in the various grievance board meetings at this exchange center.

The experience and efficiency of these members, as well as their spirit of fairness in all industry matters are not questioned, but the first flash of the appointments has caused conjecture as to whether the distant locations might constitute a potential handicap to the efficient functioning and administration of this particular board.

Who? What? When?

(Continued from page 6)

sistant manager of that office for about 18 months, had been in charge of a sub-branch in Milwaukee and also was an assistant in Omaha for a year and a half. Upon joining Fox, on Aug. 4, 1924, he was assigned Oklahoma City as manager. On Sept. 25, 1926, he took charge of the newly-opened Des Moines exchange, remaining there until Jan. 16, 1928, when he was given his current post as branch manager in St. Louis.

BARNEY ROSENTHAL, representing unaffiliated distributors on grievances, is secretary-treasurer of Premier Pictures Corp., distributor in this territory for Monogram, and the dean of the St. Louis film colony. From 1924 to June, 1929, he was president of Columbia Pictures Corp. of Missouri, later selling his interest in that concern when Joe Brandt and the Cohn brothers—Harry and Jack—went into their nationalization program. A few months later with Nat Steinberg he organized Premier Pictures. For 11 years, Rosenthal was manager of the local Universal exchange. Prior to that he served two years as office manager for the Swanson-Crawford Film Co., and also as a salesman for that company, his entire connection with it covering the period 1909 to 1914. Rosenthal's film career covers a period of 25 years.

LETO HILL, representing affiliated exhibitors on grievances, is zone manager for Warner Theatres in this neck of the woods and in charge of the affairs of the St. Louis Amusement Co. which operates a string of houses in the greater city. They include Grand-Florissant (1,750 seats), Lindell (1,659), Granada (1,585), Shenandoah (1,560), Manchester (1,545), Maplewood (1,500) in Maplewood, a suburb; Aubert (1,437), Mikado (1,348), Tivoli (1,332), Pageant (1,312), Columbia (1,200), Shaw (1,100), Novelty (1,085), West End Lyric (1,032), Union (1,029), Gravois (1,012), Maffitt (955), Kingsland (900), Capitol (854), Congress (898), Lafayette (763), Hi Pointe (702), and Downtown Lyric (550). He is a member of the M.P.T.O. of St. Louis, Eastern Missouri and Southern Illinois, affiliated with the national M.P.T.O.A.

LOUIS ANSELL, representing unaffiliated exhibitors on grievances, operates the 1,020-seat Ritz and the 1,476-seat Empress here. He is a member of the M.P.T.O. of St. Louis, Eastern Missouri and Southern Illinois.

MAURICE SCHWEITZER, representing affiliated national distributors on clearance and zoning, is a southerner and was born in Bristol, Tenn., in 1896. He was educated there and completed two years at Vanderbilt College, Nashville. For three years, Schweitzer traveled a women's ready-to-wear line for the S. Fiterman Co. and broke into the film business via the Paramount route as a salesman in Minneapolis. This was in 1920. Later switched to Kansas City as a salesman, he remained there for the following five years. Schweitzer was elected to the company's "100 Per Cent Club" in 1926 and in October of that year was moved up the line to his present position. He is local Paramount manager.

CLARENCE D. HILL, representing unaffiliated distributors on clearance and zoning, is manager here for Columbia, a post he has occupied for the past three years, less a couple of months. To be exact about it, he started with Columbia on July 14, 1931. From 1927 to 1931, Hill was manager here for Pathe. From 1924 to 1927, he was manager for P.D.C. and from 1919 to 1924, for Hodkinson. During the World War, he served overseas for 37 months as a member of the First Division. Back in the misty days, Hill was an Indianapolis manager for General Film for two years and also a salesman for that company for an identical period of time.

HAROLD W. EVENS, representing affiliated first-runs on clearance and zoning, has been manager of Loew's State here since 1931. Prior to that, he managed the Loew houses in Richmond, Memphis and the newer State in Kansas City. Earlier, Evens was assistant manager of the State in Norfolk and Memphis. He is about 34 years old, a graduate of New York University and currently president of the Variety Club of St. Louis. Evens, also, is a member of the M.P.T.O. of St. Louis, Eastern Missouri and Southern Illinois.

CLARENCE TURLEY, representing unaffiliated first-runs on clearance and zoning, is connected with the operation of the 3,000-seat Ambassador, the 3,516-seat Missouri and the Grand Central. He is a member of the M.P.T.O. of St. Louis, Eastern Missouri and Southern Illinois.

FRED WEHRENBERG, representing unaffiliated subsequent runs on clearance and zoning, is president of the M.P.T.O. of St. Louis, Eastern Missouri and Southern Illinois and a member of the national board of directors of the M.P.T.O.A. Wehrenberg is regarded as one of the "Old Guard" in M.P.T.O.A. affairs and grouped his vote on many code controversies with men like Ed Kuykendall during the Washington code-forming era. He owns and operates four local theatres. They are the Cinderella (1,300 seats), Melba (1,200), Michigan (1,200) and Virginia (800).

C. J. KAIMANN, second exhibitor representing unaffiliated subsequent runs on clearance and zoning, is president of Kaimann Brothers, Inc., Hyde Park Amusement Co., and Salisbury Theatre, Inc., and interested in the Lee Theatre Co. He owns and operates the following houses: Baden (923 seats), Bremen (700), O'Fallon (889) and Salisbury (689) and is a member of the M.P.T.O. of St. Louis, Eastern Missouri and Southern Illinois. Code Authority, in its listing, omitted the final consonant in his name.

Get "Road to Ruin"

Two Publix circuits have purchased First Division's "Road to Ruin." They are the Kincey & Wilby and Sparks circuits.

Seating Firm Cuts Loss

Net loss of $174,007 after all charges is reported by the American Seating Co. for last year, as compared with $499,518 for 1932.

Allied's Suit Reported Off; Myers Says No

(Continued from page 1)

nied any settlement and Sidney E. Samuelson, president of Allied, would not discuss the report. He said he was not at liberty to talk and referred all questions to Abram F. Myers, general counsel.

From Washington, Myers denied the suit had been settled. He said the hearing is set for today, and in accordance with the usual procedure in such cases it will probably be decided the same day. He is scheduled to arrive from the capital today and may be in court for the scheduled hearing.

Harold S. Bareford, Warner attorney and alternate for H. M. Warner returned from Washington Wednesday and said he had not heard of a settlement. He stated word on this would have to come from Washington. Bareford, in addition to acting for Warner, will also represent Executive Secretary John C. Flinn at the hearing.

Edward Levy of Boston is attorney for Ed Kuykendall in the suit and Harry Guttman will act for Charles L. O'Reilly. Austin Keough will represent George J. Schaefer and Willard McKay will act for R. H. Cochrane.

New Theatre Union Seeks A. F. of L. Aid

A petition asking cooperation by a organized labor in a theatre boycott in the event of a general strike of ushers and janitors here has been addressed to officers of the American Federation of Labor by Local 11 Building Service Employe, Charles Levey, secretary-treasurer of the local said yesterday.

Levey declared that 65 "key" men "front of the house" employes at circuit theatres, had been called in meeting and drilled on activities preparation for a general strike. Wires were sent by the local yesterday Sol A. Rosenblatt, NRA division administrator, and Senator Robert Wagner advising them of the "necessity" of the local's calling a strike.

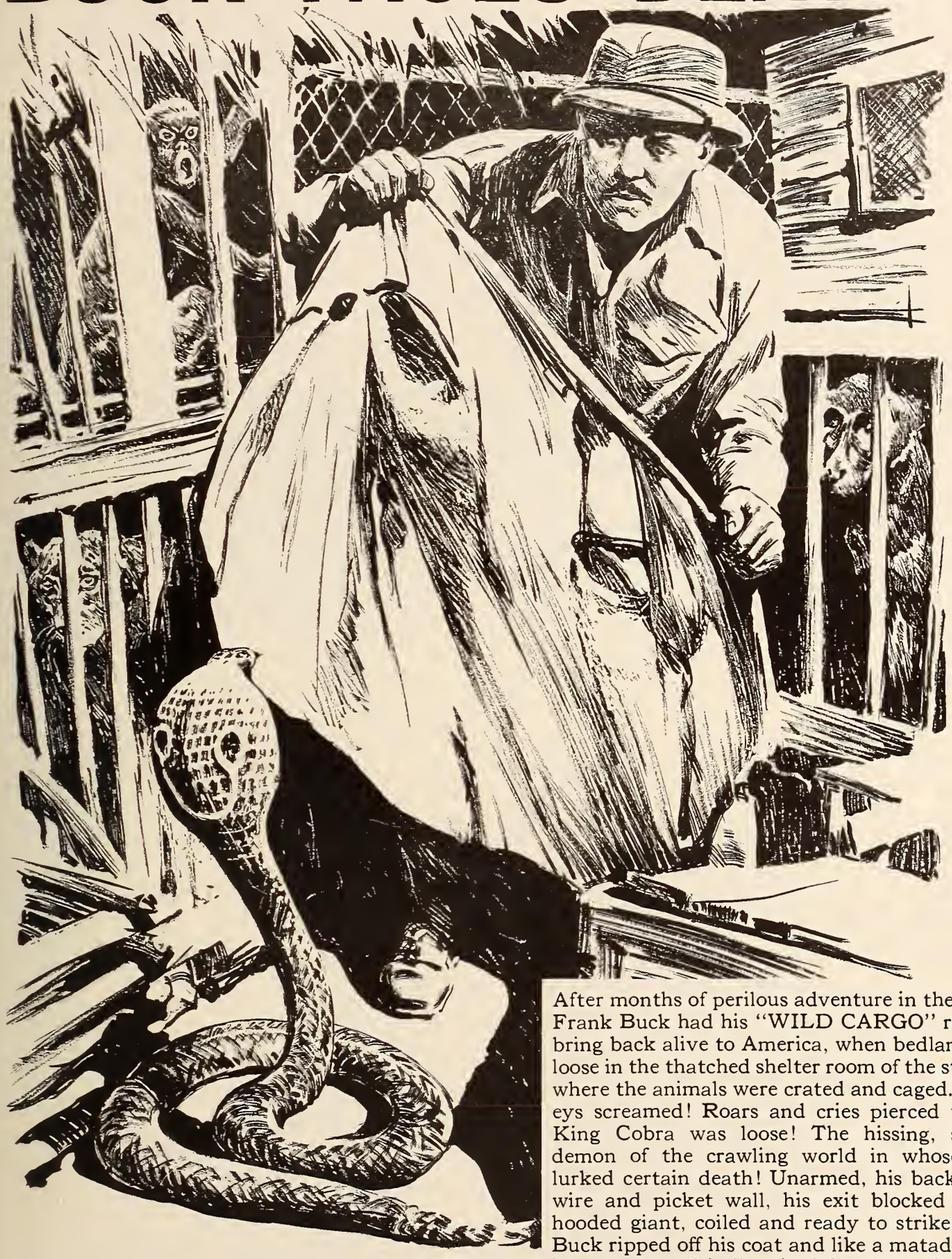
An agreement ending the strike 17 ushers at the Paramount, Stapleton, S. I., was reached Wednesday by Paramount and Local 118, with the NRA Regional Labor Board acting as intermediary. The strike returned to work yesterday. The local will take steps to negotiate a new wage contract on behalf of the Stapleton theatre's ushers in the near future according to Levey.

Settlement of the Stapleton strike he said, would have no effect on the local's plans for calling a general city strike later, unless the projected new contract is negotiated. The only theatre with which a new contract has been negotiated by the local is the Roxy. For that reason the Roxy would be exempt from any general strike, Levey said.

Assent Total Now 7,56

Only four unqualified assents were received by Code Authority on Wednesday. This brought the new total up to 7,564.

BUCK FACES DEATH!



After months of perilous adventure in the jungle, Frank Buck had his "WILD CARGO" ready to bring back alive to America, when bedlam broke loose in the thatched shelter room of the stockade where the animals were crated and caged. Monkeys screamed! Roars and cries pierced the air! King Cobra was loose! The hissing, spitting demon of the crawling world in whose fangs lurked certain death! Unarmed, his back to the wire and picket wall, his exit blocked by the hooded giant, coiled and ready to strike, Frank Buck ripped off his coat and like a matador baiting an enraged bull waited for the perilous moment when he or the Cobra would strike first. Why is it Nature saves her biggest thrills for Buck?

FRANK BUCK'S "WILD CARGO"

Van Beuren Production . . . RKO Radio Picture

Directed by Armand Denis

COMING SOON!

The above drawing, one of a series of scenes from "Wild Cargo", was sketched from an actual "frame" of the film by the famous artist J. Clinton Shepherd. *There's no time for "stills" in a world full of thrills!*

Laemmle Goes Back; Lists 19 Features

Carl Laemmle, Jr., ended his tour of Broadway theatres Wednesday and left for the coast. He had previously sat through the series of production conferences with other company officials.

Laemmle said the remaining pictures on the current Universal schedule would be: "The Crosby Case," "Love Birds," "The Countess of Monte Cristo," "Let's Be Ritzy," "Glamour," "Little Man, What Now?" "I'll Tell the World," "Uncertain Lady," "The Black Cat," "I Give My Love," "Affairs of a Gentleman," "The Humbug," "Alias, the Deacon," "Imitation of Life," Edmund Lowe in an unnamed feature, "The Practical Joker," "The Human Side," "The Love Life of a Sailor" and "One Glamorous Night."

New Lessees to Run Majestic in Cincy

CINCINNATI, Feb. 22.—Morris Segal, president of Majestic Pictures of Ohio, lessee of the Majestic, 400-seat "art cinema," located in the Taft Auditorium, has relinquished his title, due, it is said, to inability to obtain product.

The lease has been taken over by J. Ebersole Crawford, attorney, who also operates the Woodlawn and Cheviot, suburbans, and Dr. John R. Loofbourow, of the Basic Science Research Laboratories of the University of Cincinnati. The house reopens Saturday. Katheryn Turner will remain as managing director.

Ampa Constitution Up for Change Soon

Changes in the constitution of the Ampa will be decided upon at a closed meeting of the organization next Thursday. Included in the changes is a suggestion to hold annual elections on the third Thursday in April instead of the second Thursday in September.

Paul Hollister, vice-president of Macy's, on Wednesday stated tieups with film companies showed great results. Joan Lowell, author, spoke of her recent cruise about the Caribbean Sea.

Harold Auten Explains

Captain Harold Auten has no plans for aiding film men in distress in England, he says. What he is doing, he states, is to aid the British consul general to put on a benefit at the Metropolitan Opera House some time in April for the benefit of British charities in New York.

Midwest in Para. Houses

KANSAS CITY, Feb. 22.—Fox Midwest takes over the Paramount houses in Joplin and Springfield on Sunday. The houses recently were relinquished by Publix to the landlords.

Illinois Unit to Elect

CHICAGO, Feb. 22.—Allied Theatres of Illinois will hold its fourth annual convention and election of officers at the Covenant Club tomorrow.

Ed Olmstead Ill

Ed Olmstead of the Columbia exploitation department is confined to his home ill.

Cold Bumps Box-Offices In Scattered Key Spots

Cold weather hit box-offices in widely scattered sections of the country last week. In the Twin Cities, however, one of the coldest sections, business was generally good.

"Carolina" was outstanding in Chicago and Boston, but fell down in Providence. In Philadelphia the big noise of the week was "Moulin Rouge," due to the visit of the caravan. In Cleveland "Hips, Hips, Hooray," with a Century of Progress show, hit $20,000, but elsewhere there was little excitement.

"Eskimo," helped by Amos 'n' Andy on the stage at the Penn, in Pittsburgh, was the only attraction to overcome the effects of sub-zero weather and two snowstorms last week. The take was $24,000, over par by $3,000. "Blood Money" came in for second best showing with $8,000 at the Pitt. "Carolina" fell off to $2,700 in its second week at the Fulton. "Mandalay" and "Hips, Hips, Hooray" were both weak.

"Carolina" repeated in Chicago what it has been doing in most of the other key cities—piled up the best first run gross. It went to $36,000 at the Chicago, while the rest of the Loop was quiet. "Queen Christina" and "Nana," in their third weeks at the Oriental and Palace, took $16,000 each. "Hi, Nellie" had a strong $15,000 at the McVickers, and "Devil Tiger" was well over average at $18,000 at the Roosevelt. "Before Midnight" failed to stir any excitement at the State-Lake with $15,000.

"Hips" Holding Sway

Cleveland went for hips in a big way last week. With "Hips, Hips, Hooray" on the RKO Palace screen and Faith Bacon, a fan dancer featuring the Century of Progress Revue, the gross went up to $20,000. "Mandalay" was the best straight film attraction with $7,000 at Warners' Hippodrome. The rest of the town's attractions consisted of two dual bills, "The Big Shakedown" and "Dance, Girl, Dance," "Miss Fane's Baby Is Stolen" and "The Sin of Nora Moran," and two single bills, "Long Lost Father" and "Search for Beauty," none of which reached average.

In a week of falling grosses "Carolina" stirred up the only excitement in Boston. With Roy Atwell and the Three X Sisters on the stage at the Metropolitan, the take went to $32,000, above normal by $4,000. "The Poor Rich" was good for $17,500 at the Boston, and "Long Lost Father" at Keith's took a strong $17,000. "Moulin Rouge" was a money-maker at Loew's State, the $18,000 gross topping par by $2,000. Weak links in the entertainment chain were "Massacre" and "Hold That Girl," dual bills at the Fenway and Paramount.

That "Moulin Rouge" Caravan stirred up enough excitement in Philadelphia to pull $11,000 into the Aldine. Normal there is $7,000. "Let's Fall in Love" and a stage show headed by Ken Murray at the Earle were the only other grossers in town. They took a good $14,000. "Charming Deceiver" and the "Shuffle Along" unit held Keith's up to a par $7,000. "Queen Christina" was good for an average $12,000 at the Stanley in its second week. "White Woman," a second run, "Ever Since Eve" and "Shadows of Sing Sing" failed to stir any excitement.

Oklahoma City had two strong draws—"Cross Country Cruise" at the Warner with $9,000 and "As Husbands Go" at the Capitol. The latter took a good $3,000. "Eskimo," "Counsellor at Law" and a dual consisting of "Advice to the Lovelorn" and "Orient Express" were below expectations.

Twin Cities' business was generally good last week. "All of Me" was good for a total of $14,500, $8,000 at the Minnesota in Minneapolis and $6,500 at the Paramount in St. Paul. "Roman Scandals" had a big second week, getting $6,500 at the State, Minneapolis, and $4,500 at the St. Paul Riviera. With "A Man's Castle" on the screen and Morton Downey on the stage, the RKO Orpheum had a big $7,000.

Slump in Providence

Something went wrong with business in Providence. "Easy to Love" was the only attraction in town to reach par. It took $7,000 at Fay's, helped by a revue, "Alice on Broadway." "Carolina" was a disappointment with only $5,000 at the Majestic.

"A Man's Castle" and Olsen and Johnson in "Take a Chance" piled up $17,000 at the Kansas City Mainstreet. This is about $5,000 over average. "Queen Christina" battled this stiff competition at the Midland by pulling $13,500, over normal by $2,500. "Search for Beauty" took an average $5,500 at the Newman. "Cross Country Cruise" had a week $2,500 at the Uptown.

Detroit put on its galoshes and turned out in a big way for a combination of "Hips, Hips, Hooray" and a stage show headed by Doris Kenyon at the Fox. As a result, the take was $1,500 up to $16,000. Elsewhere business was about as dull as usual.

Kate Smith and "The Right to Romance" took big money in Omaha, $8,500 at the Brandeis, and a dual, "Moulin Rouge" and "Women in His Life," was second best at the Orpheum with $8,250. "Queen Christina" at the Paramount and "Eskimo" at the World failed to stir much excitement.

Los Angeles business was spotty, with only three houses doing heavy business. First of these was the RKO with "The Lost Patrol" on the screen and a stage show headed by the Hollywood-on-the-Air troupe. The $13,500 gross was $5,500 up. "Good Dame" gave a good account of itself at the Paramount with $19,115, and "Queen Christina" took a good $17,900 in its second week at Grauman's Chinese. "Moulin Rouge" was slightly below par at the United Artists.

"Carolina" Big in Frisco

San Francisco went for "Carolina" with a rush and piled up a $21,500 gross at the Warfield. Average for the house is $19,000. "The Lost Patrol" was another strong Frisco draw with $16,500, up by $3,000, at the Golden Gate. "Gallant Lady" was a money-maker for the United Artists with a take of $12,000, and a dual bill consisting of "Morning After" and "Beggars in Ermine" was well above par at $10,400 in the Fox. Two other duals, "Six of a Kind" and "Massacre" at the Paramount, and "Easy Love" and "The Last Roundup" the Orpheum were pretty dull.

Indianapolis had a fair week. "Good Dame" was $500 up with $4,000 the Circle, and "Eskimo," with the Cotton Club Revue, had a better-than average $5,000 at the Palace. "Carolina" was just normal at the Apol at $2,500. "The Last Roundup" w a disappointment with $5,000 at the Lyric.

Three houses had satisfacto grosses in Seattle. "Roman Scandals" topped the list with $7,500 the Blue Mouse, "Eskimo" was second, getting $7,500 at the Fifth Avenue, and "Six of a Kind" garner $6,250 at the Paramount. "The Wor Changes" reached a par $6,000 at t Orpheum.

"Carolina," on a double bill wi "His Double Life," the Portland nar for "Great Adventure," led the Orego city's takes with $6,500 at the Par mount. "Gallant Lady," one of t two single bills, took a par $5,000 the United Artists, and "Hi, Nelli the other single, had a good $3,500 Hamrick's Music Box. "Beloved" a "Sons of the Desert" reached $7,000 the Broadway.

Starting of Lent combined with co weather failed to halt "Flying Dov to Rio" at the Capitol in Montre The $11,000 gross topped par $2,000. Another strong draw w "Eight Girls in a Boat" with a sta show at Loew's where the take w $1,000 up at $11,500.

Simmonds Sees More Exchange of Talen

HOLLYWOOD, Feb. 22.—Roy Simmonds, London press representativ for Fox, is now in town conferrin with studio executives and lookin over new product in work and edi ing. With reference to the prac tibility of exchanging stars, directo and technicians between America an England, now being planned by Jo seph M. Schenck, he said suc seemed a "good plan." "As a matte of fact," Simmonds added, "Fox ha been doing this in a small way wit both directors and players, but fo technicians this craft exchange wi ultimately become a general practic will all major producers both her and abroad.

"England is waiting with tremen dous interest for the reunion of Jan Gaynor and Charles Farrell as a tear This combination of stars has prove greater box-office attraction in Eng land than any other, but they do no top the individual popularity of Mar Dressler."

Speaking further of the Britisher likes and dislikes for American-mad pictures he said, "There is a defini dislike for 'gangster' pictures. The want the human down-to-earth stori told in the most simple form. Mus cals are always appreciated if th treatment of music is not dragged by the heels."

"Dinner" at Top of Herald "Champions

"Dinner at Eight" heads the fir list of 1934 "box-office champion compiled by *Motion Picture Herald* out today, with "Flying Down to Rio," "Design for Living," "Roma Scandals," "Dancing Lady" and "F Candlelight" following in the ord named.

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MOTION PICTURE DAILY

Hays Denies Interest in Film Boards

(Continued from page 1)
members of the board kept in touch with Film Board activities.

Hays' testimony concerned organization of the Film Boards by C. C. Pettijohn, creation of the credit committees and purposes of the M. P. P. D. A. Censorship control over production and fire prevention activities were emphasized among the latter.

Leo Brecher, independent exhibitor, testified concerning protection schedules in New York and declared that he was unable to obtain pictures for his Plaza despite an offer to distributors to meet the rentals paid by his advance run competition. He testified that the Plaza was set back from a first run to a fourth run. Brecher will resume the stand today. Joseph Quittner, Middletown, N. Y., exhibitor, may also testify today.

Insurgents Oppose Kansas City Pacts

(Continued from page 1)
assents. It may go ahead regardless of the insurgents, but the possibility exists that the holdouts may block an agreement with Loew's and the Midland.

If no agreement can be reached, it is said suburbans will run wild on dime admissions, duals and giveaways to combat the downtown cuts.

FWC and F & M Call Off Theatre Dicker

(Continued from page 1)
plan. F. & M. will continue to operate the Orpheum, San Francisco, and a deal for the United Artists there has fallen through. FWC operates the St. Francis, Paramount and Warfield in 'Frisco and was to have turned over one of these houses to F. & M. under the agreement set verbally, but never consummated.

The seven other houses which were to have been turned over to F. & M. are the Paramount, Seattle; Paramount and Liberty, Portland; Fox and California, San Diego; Pantages, Hollywood; Fox, Oakland.

Mike Marco, president of F. & M., leaves either today or tomorrow for the coast after conferring with his partner, Harry C. Arthur.

ST. LOUIS, Feb. 22.—F. & M. next Tuesday or Wednesday will hike admissions at the Fox from 40 cents to 55 cents evenings. Prices up to 1 P. M. are 25 cents and matinees are 35 cents.

Sally Rand is waving her fan at the house this week and despite the cold spell is attracting customers.

Preparing Vaude Report

As a result of a meeting of the vaudeville committee at Code Authority headquarters Wednesday afternoon, Sam Dembow, Jr., chairman of the committee, is drafting a report on findings to present to the authority at its meeting Monday. Several changes in the code are expected to be urged.

Looking 'Em Over

"Die Blonde Christl"

(Bavarian Films)

A German production bearing the stamp of Bavarian Films, "Die Blonde Christl" ("Blonde Christl"), Christl being the diminutive in Bavaria for Christine, is a production of merit.

Americans, while they will be able to follow the story with the aid of English subtitles, will miss much of the humor of the film, as the titles are woefully absent at the most hilarious moments. To them the appeal will be principally to the senses, what with beautiful photography and a score laden with melody.

The story, simple and direct, with the snow-encrusted Bavarian Alps as a background, is a drama of young love. Rolf von Goth and Karin Hardt are deeply in love, although not with her mother's blessing. When the youth, a violin maker, accepts his employer's offer to work for a year with his brother in Milan, the mother destroys the letters the lovers address to each other.

Believing he has forgotten, the girl marries the youth's elderly employer, who has loved the lad like a son, at the insistence of her mother. When the youth returns the employer discovers the truth and flees to the hills, presumably to find death in the snow so that the two may have each other. He does die, but from a bullet from a gun accidentally discharged when he struggles with a fellow villager who has taunted him.

The film is based on a popular German novel, "Der Geigenmacher von Mittenwald" ("The Violin Maker of Mittenwald"), by Ludwig Ganghofer. The acting is extremely effective in its naturalness. Theodor Loos, Gertrud de Lalsky, Otto Wernicke and Josef Stoeckel are other players.

"It Happened One Night," yesterday's opener at the Music Hall, was reviewed by wire from Hollywood on Jan. 31.

"Hips, Hips, Hooray," yesterday's opener at the Roxy, was covered from the coast on Jan. 18.

"Death Takes a Holiday," today's opener at the Paramount, was covered by wire from the coast as "Strange Holiday" on Jan. 15.

"The Mystery of Mr. X," today's opener at the Capitol, was reviewed by wire from Hollywood Wednesday.

Neighborhoods Set

MEMPHIS, Feb. 22.—Neighborhood theatres have settled their difficulties with the operators' union and managed to eke out slight concessions.

Settlement of M. A. Lightman's troubles is expected in a few days, following conferences with W. P. Raoul, national labor leader. Lightman's Strand and Princess have been non-union since last summer.

On a World Tour

HOLLYWOOD, Feb. 22.—Mrs. Henry Ginsberg, wife of Hal Roach's general manager, leaves on the *President Monroe* from San Francisco on a world tour next week.

MacDonald Is Re-Signed

HOLLYWOOD, Feb. 22.—Jeanette MacDonald's one-picture contract with M-G-M to do "Merry Widow" has been torn up and the actress has been signed to a long termer.

IATSE Picks Louisville

LOUISVILLE, Feb. 22.—This city has been the selection for the 1934 convention, June 4 to 8, of the I. A. T. S. E. About 1,500 delegates are expected.

The information was released by G. W. Huey, managing director of the Louisville Convention and Publicity League.

Nudist Suit Off Again

Trial of a suit for an accounting of profits on "This Nude World," scheduled for Wednesday at Mineola, L. I., was postponed to Feb. 28 when Mineola courts remained closed because of storm-crippled transportation facilities on Long Island.

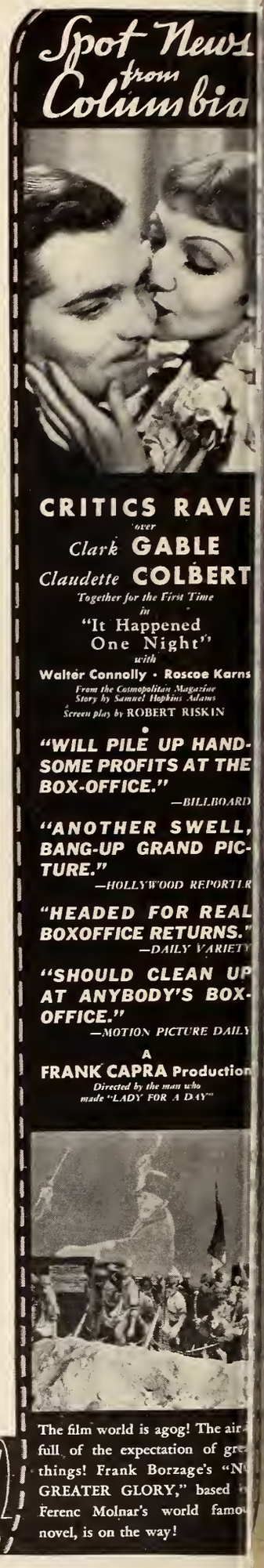
Brandt Takes Alden

Harry Brandt has taken over the Alden, 67th St. and Broadway. The 530-seat house is nearing completion and is expected to be opened about the middle of next month.

Sound Theatres in Canada

	1934 Open	1934 Closed	1933 Open	1933 Closed
Alberta and Saskatchewan	84	25	87	13
British Columbia	72	4	64	12
Manitoba and Saskatchewan	103	..	91	41
Maritime Provinces	*70	12	74	3
Ontario	279	4	256	8
Quebec	119	13	124	4
Totals	727	58	696	81
Grand total	785	..	777	..

*Of this total, four are open occasionally.



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Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 35. NO. 45 NEW YORK, SATURDAY, FEBRUARY 24, 1934 TEN CENTS

New Assent Ruling May Set Deadline at Mar. 31

Extension of the date for sending in code assents from Feb. 28, the present deadline, to March 31, or thereabouts, is considered likely as a result of the ruling handed down in Washington by NRA holding that the signing of unqualified assent forms does not affect the signer's right to resort to the courts in the event of injury under the code.

The ruling resulted in the withdrawal yesterday of Allied's suit, brought against Division Administrator Sol A. Rosenblatt and the Code Authority by the Congress Theatre, Newark, to test the Authority's right to require unqualified assents, and, in eliminating Allied's objections to the prescribed form of assenting, placed the membership of that organization in a position to execute assent forms. Additional time for study of the interpretation before executing the forms may be needed, however, it was felt. Code Authority will probably

(Continued on page 3)

Move to Curb Price War in K. C. Crashes

Jay Means Sees Slashing Orgy as Result

KANSAS CITY, Feb. 23.—The proposed agreement to regulate admission prices and curb giveaways and other practices long a subject of strife in theatre circles here is a failure today as the result of opposition on the part of three or four dissenters. This means suburbans will let down the bars to unregulated price cutting, and 10-cent admissions will become widespread, according to Jay Means, M.P.T.O. head.

Means said he did not intend to negotiate further or seek an agreement with Publix or Loew's on price

(Continued on page 3)

Ill. Allied Off Duals; Reelects Saperstein

CHICAGO, Feb. 23.—At its annual meeting at the Covenant Club here today at which it reelected Aaron Saperstein to his fourth term as president Allied of Illinois went on record without a dissenting voice as opposed to double features. The question was put squarely before the 75 exhibitors present by Saperstein. The unanimous vote for singles was pronounced by him as definitely settling the organization's stand on the issue.

Other officers were also reelected.

(Continued on page 4)

Move Begun to Name Comerford Governor

SCRANTON, Feb. 23.—Northeastern Pennsylvania Democrats, headed by those in Lackawanna County in which this city is located, are making an effort to induce M. E. Comerford to run for Governor.

Comerford is widely known as a theatre operator. In addition, he is chairman of the Pennsylvania NRA Recovery Board. His son-in-law, Frank C. Walker, is former treasurer of the Democratic National Committee.

Leo Brecher Again Anti-Trust Witness

Further particulars of the clearance situation in New York which operated to set back the Plaza from a first run to a fourth run house were recited yesterday by Leo Brecher in the trial of

(Continued on page 4)

MPTOA Plans For Big-Scale Coast Session

COLUMBUS, MISS., Feb. 23.—At his home here today Ed Kuykendall announced plans to make the M.P.T.O.A. convention in Los Angeles April 10-12 the largest in the organization's history.

Special trains are being lined up to start from New Orleans, Kansas City, Chicago, New York and either Dallas or Memphis with low rates to prevail on railroads.

Kuykendall says he hopes to make it a "get-together of the entire industry," rather than the usual convention. He plans a constructive, educational program in which film stars will participate. Thousands of letters to exhibitors are being prepared.

Studios will be thrown open to the visitors and work will be suspended for their entertainment.

"Every outstanding theatre man in the country will attend," says Kuykendall.

Ambassador Picked For MPTOA Session

The M.P.T.O.A. has determined upon the Ambassador, Los Angeles, as convention headquarters and is making arrangements to obtain reduced hotel rates and railroad rates for the confab which is slated for April 10-12. Ben Berinstein, president of the Independent Theatre Owners of Southern California, has been named chairman of the Los Angeles convention committee.

Storm the Gable

Those staunch Gable fans waited for Clark and his first stage appearance at the Capitol yesterday on soapboxes and so reminded of the Hollywood scene on the nights of important openings. M-G-M reported opening day's business was on a par with the initial stanza of "Tugboat Annie," which was something.

Thursday at the Music Hall resulted in $19,100 on the day with "It Happened One Night" in which Gable appears. While this was not an opening day's record and holiday prices prevailing were a help, the gross, nevertheless, was terrific.

NRA Decision Orders Union Men Restored

The NRA gave force to its determination to curb cuts in wages and employment and discrimination against members of a union in a decision handed down yesterday by the office of Nathan Straus, Jr., State NRA director, ordering 10 New York theatres to reemploy men alleged to have been discharged in favor of others at lower salaries and longer hours.

The theatres involved are the Monroe, Eagle, 79th Street, Manhattan,

(Continued on page 3)

Will Give Allied Chance To Sign Up—Newark Suit Withdrawn

Authority Finance Report Due Monday

The first report of the committee on financing Code Authority administration will be made at Monday's session of the authority.

The committee has held several meetings this week for the purpose of discussing a budget and a plan of assessing the industry equitably to meet the budget. While no final decisions have been made, it is understood enough progress was accomplished during the week to make possible a report to the Code Authority on Monday.

The same session will hear a report from the committee on manuals which has been drawing up rules of procedure for local grievance and clearance and zoning boards.

Naming of 12 More Boards Seen Monday

An additional 12 clearance and zoning and grievance boards may be named by Code Authority at its Monday meeting as a result of consultations by telephone between members of the committee on selections during the

(Continued on page 4)

Who? What? When?

Fourth instalment in a biographical series on the men who make up the code boards.

MEMPHIS, Feb. 23.—T. W. YOUNG, representing affiliated national distributors on the Memphis grievance board, came to Fox from exhibition, having been manager of the Dyersburgh in the Tennessee town of the same name. He started with Fox as a salesman on May 30, 1927, won home office recognition during a 1926-27 sales contest and was made manager of the exchange here. Seven years ago and still on the same job.

JAMES ROGERS, representing unaffiliated distributors on grievances, cur-

(Continued on page 4)

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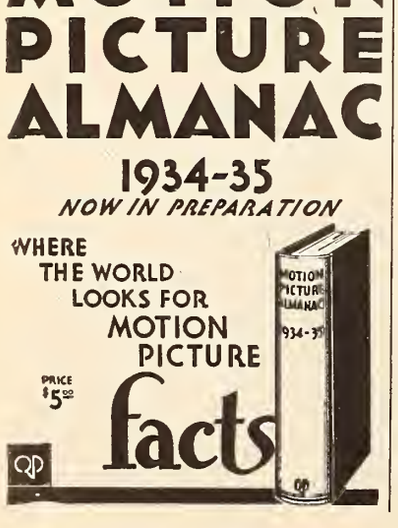
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"Wonder Bar" Given Permit in Virginia

RICHMOND, Feb. 23.—"Wonder Bar" has been licensed by the Virginia censors after a number of cuts which included a scene showing Al Jolson and his "angelic revelers" imbibing inside the pearly gates.

Mary at Biograph

Mary Pickford officially christened the Biograph studio in the Bronx yesterday. She was guest of the studio officials and members of the cast of "Frankie and Johnnie." Her visit was a sentimental journey to Miss Pickford, for it was there she got her start in pictures.



Flash Reviews

"House of Rothschild"
(20th Century-U.A.)

HOLLYWOOD, Feb. 23.—Supercharged with entertainment and electric with showmanship. . . . Should be sensation at box-office.

"The Show-Off"
(M-G-M)

HOLLYWOOD, Feb. 23.—Breezy entertainment with bright moments, spasmodically spaced.

"David Harum"
(Fox)

HOLLYWOOD, Feb. 23.—Will Rogers' accurate portrait is a fine blend of human and theatric essentials that should draw big patronage.

"Journal of a Crime"
(First National)

Delicately handled psychological study of the emotions of a woman who is determined above all to hold her husband—and does. . . . Its appeal is to adult women. . . .

Reviews of these films will appear in full in a subsequent issue of MOTION PICTURE DAILY.

Detroit Is Set for Big Variety Party

DETROIT, Feb. 23.—More than 800 persons will attend the dinner-dance-cabaret of the Variety Club in the Book-Cadillac tomorrow evening.

Delegations from other cities will attend. W. F. Rogers, general sales manager, Eastern division, M-G-M, will head a New York party. Cleveland and Pittsburgh are sending parties of 50 each. Buffalo and Cincinnati will be represented by 20 barkers and their wives. Columbus is sending 30, and St. Louis and Albany 10 each.

Break for Majestic

Majestic has arranged a publicity tieup on "Unknown Blonde" with the New York *Mirror* consisting of a series of Sunday articles written by Dorothy Jarvis, who acted as adviser on the production, under the title "I Was the Unknown Blonde in 100 Divorce Cases."

S. M. Sachs to Dallas

S. M. Sachs has been named Dallas branch manager for RKO Radio as successor to L. E. Harrington.

New Small Register For Tickets Put Out

General Register Corp. has gotten out a new portable "C" ticket issuing machine for use in small theatres, fairs and carnivals, said to be the first of a series of new devices.

Percy Phillipson, president, says the new machine is enclosed in a bronze cabinet, is locked, and is designed to give the same protection larger machines give.

Radio Advances Brock

HOLLYWOOD, Feb. 23.—Lou Brock has been placed in charge of a feature unit at Radio, Lee Marcus superseding him as head of shorts production. Bert Gilroy will be the latter's assistant.

No Northwest Changes

LOS ANGELES, Feb. 23.—Conferences here have resulted in no change in operations of Fox West Coast's Northwest circuit.

Jules Levy to Coast

Jules Levy, general sales manager of RKO, plans a trip to Hollywood via the Canal a week from today.

All Take Loss on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	25	25	25	— 7/8	100
Consolidated Film Industries	5 3/8	4 3/4	4 3/4	— 1/4	600
Consolidated Film Industries, pfd	16 3/4	16	16 3/8	— 3/8	3,100
Eastman Kodak	92 3/8	89 1/2	89 1/2	—3 1/4	1,500
Eastman Kodak, pfd	132	132	132	—1	100
Fox Film "A"	16 3/8	14 7/8	15	—1 1/2	2,900
Loew's, Inc.	33 3/8	31 1/2	31 3/4	—1 1/4	19,300
Paramount cts.	5	4 1/2	4 3/4	— 1/4	14,500
Pathe Exchange	3 1/4	3	3 1/8	— 1/8	2,900
Pathe Exchange "A"	17 1/4	16 1/2	16 1/2	— 1/2	1,700
R-K-O	3 7/8	3 3/8	3 3/8	— 3/8	6,600
Warner Bros.	7 1/4	6 7/8	6 7/8	— 3/8	10,200

Universal Down 5/8 on Curb

	High	Low	Close	Net Change	Sales
Technicolor	9 3/4	9 1/2	9 3/4	— 1/4	2,500
Universal Pictures	4 1/8	4 1/8	4 1/8	— 5/8	100

Many Bonds Suffer Decline

	High	Low	Close	Net Change	Sales
General Theatre Equip. 6s, '40	11 1/2	9 1/2	9 5/8	—1 3/8	8
General Theatre quip. 6s, '40 cts	9 3/4	9 3/4	9 3/4	— 1/2	3
Keith B. F. 6s, '46	62 1/8	62	62	.....	3
Loew's 6s, '41 ww. deb. rights	96 1/2	95 3/4	95 3/4	—1 1/2	15
Paramount Broadway 5 1/2s, '51	39	39	39	+1	14
Paramount F. L. 6s, '47	46	45	46	— 1/4	10
Paramount Publix 5 1/2s, '50	45 3/4	45 1/4	45 1/4	— 7/8	5
Pathe 7s, '37 ww	93 1/2	92	93 1/2	+ 1/2	9
Warner Bros. 6s '39, wd	57	54 1/2	54 1/2	—1 1/2	21

Ministers in Omaha Agitate for Censor

OMAHA, Feb. 23.—The possibility of censorship loomed here today when the Omaha Ministerial Union appointed a committee of three to investigate films shown locally.

The clergymen took their action following the declaration of Dr Charles Durden, pastor of the First Baptist Church, that pictures are shown in Omaha which are not permitted in many other cities.

"The public at present," he said, in reference to the personal appearance of Sally Rand at the Paramount, "is going to see a fan dancer, in the hope probably, that the dancer will drop her fan."

Besides Dr. Durden, the other members of the committee include Dr L. C. Hills, pastor of the Wheeler Memorial Presbyterian Church, and Dr. Bryant Howe, pastor of the Grace Methodist Church. The Omaha council of churches voted to cooperate with the investigation committee.

G. A. Saunders Buried

CASE CITY, Va., Feb. 23.—The body of Gilbert A. Saunders, 61, owner of the Colonial at South Hill and also proprietor of the Lincoln Hotel there, was brought to Mecklenburg County for burial today at Skelton, near here. His death, which occurred Wednesday evening in a Richmond hospital, was due to blood poisoning resulting from a scratch on his hand. He became ill while he and his wife were celebrating the 40th anniversary of their marriage. Besides a widow, he is survived by three daughters, Mrs. Lillian Carter of Yorktown, Mrs. Fannie Archer Seward of Hocky Mount, N. C., and Mrs. Ruby Montgomery of South Hill. He also leaves three brothers, Luther, Robert and Sydney Saunders of South Hill.

A. H. T. Banzhaf Dead

Albert H. T. Banzhaf, a lawyer and long a director of United Artists where he represented D. W. Griffith until the latter sold his stock interest, died in Larchmont Wednesday, it was learned yesterday. Banzhaf, who was 54 years old, was found in a woodshed at the rear of home with four gunshot wounds. Police declared they were self-inflicted.

Ornstein Loses Mother

Bill Ornstein, member of the news staff of MOTION PICTURE DAILY, lost his mother Thursday night.

ELGIN, ILL., Feb. 23.—Ernest Rovelstad, managing editor of MOTION PICTURE HERALD, was here today to attend the funeral of his brother, David, who died Tuesday. The deceased was identified with the local jewelry business with his father.

See Securities O. K.

WASHINGTON, Feb. 23.—Photocol Pictures, Inc., of Irvington-on-the-Hudson, N. Y., is seeking authorization of the Federal Trade Commission to issue 133,681 shares of common capital stock at an aggregate amount of $668,405.

A committee of holders of the Orpheum Theatre and Realty Co., first mortgage six per cent serial gold bonds is seeking the right to call the deposits to cover bonds up to $2,500,000. The company operates in San Francisco.

Assent Ruling May Set Back Code Deadline

(Continued from page 1)

ecide on a time extension at its Monday meeting which will be attended by Rosenblatt. No opposition o a time extension on the part of hat body is known to exist.

In a bulletin from Allied headuarters at Washington sent to members yesterday the statement is made hat "the time in which to file assents will be extended beyond Feb. 28 to ermit the thousands who have not ssented to study these (NRA) interretations and decide what course ney wish to pursue."

It was learned on good authority, owever, that while a time extension or assents was discussed at Washngton at the time the interpretations ere made, no definite decision on his was arrived at. As far as the ode Authority is now concerned the nal date is still Feb. 28, but there admittedly considerable likelihood f an extension being approved at Monday's meeting. Earlier reports hat no further extension would be ranted did not take into considera- on the effect of the recent NRA nterpretations.

The interpretations, made by Donld R. Richberg, NRA general coun- el, and approved by Administrator ugh S. Johnson, hold not only that nqualified assents do not serve to eprive members of the industry of ny of their rights under the law. ut also that failure to assent does ot deprive them of any of the rights nd remedies of the code itself other han the privilege of filing complaints ith the various code boards.

Interpretation Text

Following is text of the interpretaons:

"For the information of members of the otion picture industry with respect to he form of assent distributed by the Code uthority of the motion picture industry nder the terms of Article VI, Part 2, ection 8 of the code:

"It is not the intent or purpose of Arle VI, Part 2, Section 8, of the code hat any member of the industry assenting the code on the forms used by the Code uthority shall thereby waive or be estopd from setting up any right which such ember of the industry may possess under eneral or statutory law against any arrary, oppressive, injurious and unreaonable action by any administrative ofcial or agency under the motion picture dustry code.

"It is not the intent or purpose of such rticle, part or section of the code that ny member so assenting shall be preuded or estopped from seeking amendents to or modifications of said code.

"Members of the industry not assenting the code on the forms above mentioned n not be denied any of the rights emedies afforded by the code save only hat they will not enjoy the right to file mplaints before the administrative agenes provided for in the code. Upon acceptnce of any of the benefits and advantages the code, such members of the industry ay be assessed a reasonable amount, subct to the approval of the administrator, help defray the expenses of administerg the code but not otherwise.

"While assent on the form above mened is necessary to enable a member the industry to lodge protests with earance and zoning boards and to make e of the facilities of the local grievance oards, nevertheless such assent is not sential to enable any member of the dustry to interpose his defense before y such board, if be so desires, in any atter affecting his interest, and therefter to prosecute any and all appeals erefrom to the same extent and in the me manner as a member assenting on the form above mentioned.

"The statements contained herein apply with respect to the execution, either heretofore or hereafter, by any member of the form of assent above mentioned, and all such assents will be deemed to have been executed in the ligbt of these statements."

Allied's Code Suit Formally Withdrawn

Allied's suit against the Code Authority and Division Administrator Sol A. Rosenblatt was formally withdrawn yesterday at a hearing before Federal Judge John C. Knox in U. S. District Court here. The action was taken following the NRA legal department's ruling which held that unqualified assents to the code did not deprive signers of their rights at law and that those who did not sign the code were deprived of no benefits under the code other than the right to file complaints with code boards.

The interpretations, Allied spokesmen said, accomplished the objects of the suit.

Withdrawal of the suit came as the court prepared to hear a motion for a preliminary injunction restraining the Code Authority from requiring unqualified assents. Norman Samuelson, counsel for the Congress Theatre, Newark, the complainant in Allied's suit, withdrew the motion. He then explained to the court that the questions at issue had been settled by the NRA interpretations and that it had been mutually agreed that the action be discontinued without costs and without prejudice to re-institute a similar action in the future. The court indicated that a formal order would be issued at once closing the suit.

W. H. Griffin, Department of Justice attorney assigned to the NRA for Rosenblatt's defense in the action, put in an appearance and acquiesced to withdrawal of the suit.

Authorities to Talk Over Radio Protest

The radio code authority has notified the film and legitimate theatre code authorities that it will name a committee of three to meet with committees of the latter two bodies in the near future for a discussion of competitive tactics of radio broadcasters which have been complained of by both film and stage interests.

The principal complaint of the film industry has been directed against free theatrical performances given by radio broadcasters on their regular programs.

Federation Meet Off

A meeting of the Federation of the M. P. Industry scheduled for last night to discuss a plan of financing for the organization was postponed due to the inability of a number of officers of the Federation to attend. A new meeting date may be set early next week.

Dawggone

Wheeze about dog biting man making a news item went one better yesterday when Dark Hazard, the greyhound used in Eddie Robinson's picture of that name was subjected to a cocktail party on the part of the St. Moritz Hotel and the Rialto Theatre yesterday afternoon.

Dogs and newspaper folks were invited.

NRA Decision Orders Union Men Restored

(Continued from page 1)

and Central in Manhattan; the Ritz, Art and Bronx Star in the Bronx, and the Globe and Saunders in Brooklyn.

Complaints against the theatres were filed by Harry Sherman, president of Local 306, on the allegation that members of the local had been let out on Aug. 24 last and replaced with members of Allied M. P. Operators' Union, described as a "company union," who, Sherman charged, were engaged 52 hours a week at wages less than half the scale received by members of his local.

The theatre owners, allegedly ignoring the provisions of the President's reemployment agreement in effect at the time, contended the code, which limits the working week of operators to 40 hours and recognizes the minimum scale of Local 306 as of Aug. 23 last, did not become effective until Dec. 7.

The theatres were ordered in yesterday's decision to "reestablish, within 10 days, the conditions that prevailed as of Aug. 23, 1933, as regards the number of men employed in the booth; the booth cost . . . and the employes working in the booth who were discharged in violation of Section 7A."

Sherman announced yesterday he would proceed against every picture theatre in New York which he felt was guilty of similar infractions of the NRA.

"The decision speaks for itself," said Sherman. "For months now certain New York theatres have been rendering only lip service to the NRA and brazenly flying the Blue Eagle while violating provisions of the NRA, the President's reemployment agreement and the code. This investigation will, I hope, result in a correction of these unfair conditions and make it unnecessary for us to take similar action against other offending theatres."

Local 306 Upheld on Stay Against ITOA

Local 306 scored a second victory yesterday when the Appellate Division of the Supreme Court handed down a decision upholding the injunction granted last week against the I.T.O.A. by Supreme Court Justice Collins holding theatre men to strict adherence to the code and branding the Allied M. P. Operators' Union as a "company union" within the meaning of Section 7A of the code.

The injunction was granted pending trial of the suit by the local against the I.T.O.A. in which the union seeks damages totalling $1,000,000 and asks the dissolution of both the I.T.O.A. and the rival union on the ground of conspiracy to ruin the local.

Says St. Louis Ruling Doesn't Clash With Code

WASHINGTON, Feb. 23.—The decision of Dr. William G. Patton in the St. Louis operators' controversy, in which wage increases were made retroactive to Sept. 1 last, was today declared by Division Administrator Sol A. Rosenblatt not to be in conflict with the provisions of the code. However, it was stated, a review of the decision had been asked and probably would be granted.

It was pointed out that Section 6A, Part 1, Division C of Article IV of the code does not provide that wages paid Aug. 23, last, shall apply, but merely that employes covered by that section shall not receive less than the wage then in force.

Move to Curb Price War in K. C. Crashes

(Continued from page 1)

stabilization. He sees a fierce price war ahead, with 15-cent and 20-cent houses cutting their scales to a dime, at the same time playing pictures in the regular order. The fireworks are expected to start Sunday.

Means said that, since film contracts and the whole protection system were considered illegal, distributors would be unable to stop exhibitors should the latter want to cut their scales below those stipulated in the agreements. He does not believe distributors will resort to the courts to enforce contracts and anticipates an increase in double billing, giveaways and other practices, but expects that eventually the whole situation involving suburbans and downtown houses will come to a showdown.

Cut Threat Stirs FWC

LOS ANGELES, Feb. 23.—Threat of the Pantages Hollywood to reduce prices to 15 and 25 cents for matinees and 25 and 40 cents for evening performances for first runs to meet prices prevailing downtown for subsequent runs had Fox West Coast stirred up today. Fox West Coast has an arrangement with Pantages to uphold prices at first runs. This may force Pantages into the open market for first runs.

Warner, Paramount Assents Lift Total

Code assents passed the 8,500 mark yesterday with the receipt of individual assents from more than 1,000 Paramount and Warner theatres which heretofore had not been received individually, but were covered in a blanket assent executed by the parent companies.

An exact compilation of the total individual assents included in the Warner and Paramount groups had not been compiled by the Code Authority offices here up to late yesterday but an official estimate placed their number at "more than 1,000." Prior to their receipt code assents on hand totalled 7,574. Several hundred additional assents are expected from Allied States member theatres as a result of the NRA interpretation which removed Allied's objections to executing unqualified assents, indicating that the final number of assents may go well over the 9,000 mark.

Paramount and Warner theatres were said to be the only national circuit houses which had not, up to yesterday, sent in individual assent forms. RKO, Loew's and Skouras houses have executed individual forms which are included in the present total of assents.

Royster Loses Post In Rochester Shift

ROCHESTER, Feb. 23.—Harry L. Royster, for four years district manager of Publix interests in Rochester, will report to New York for a new assignment and William H. Cadoret, manager of the Comerford Capitol, will become district manager for the Capitol, Regent and Century, recently taken over from Publix.

Announcement of the changes, which came in the wake of the withdrawal of Publix, bore the indication that John J. O'Neill would remain as manager of the Regent. All three houses now are under Comerford control.

No move is expected on the part of Comerford to lease the 3,200-seat Eastman, which Publix dropped as a white elephant after trying everything it knew to keep it open.

Yonkers Blast Kills 2 at Theatre Front

Explosion of a new type transformer upon which men were working beneath the sidewalk in front of Proctor's RKO Theatre, Yonkers, killed a policeman and an electrician and injured 12 other persons yesterday morning. Most of those injured were burned when flames flashed out of a manhole and the sidewalk collapsed in front of the box-office. Three of those burned were electricians employed by the Yonkers Electric Light Co.

The dead men are Patrolman Patrick Whalen and Carl Gruber.

The theatre was kept closed yesterday, but RKO officials said it might be opened today. The principal damage was to the box-office.

Producers' Stand On Wampas Hangs Fire

HOLLYWOOD, Feb. 23.—Fred Beetson will not have an official report on the producers' attitude toward the Wampas' "baby star" selections and their radio broadcast until next Tuesday.

Leading majors, including Fox, Radio, Warners and M-G-M openly admit their opposition and refusal to have any part in the affair, which means that unless the Wampas alter the nominations made last Tuesday they will be forced to abandon the idea or confine it to free lancers and players with companies not connected with the Producers' Ass'n. This is not feasible.

Leo Brecher Again Anti-Trust Witness

(Continued from page 1)

the Frank Rembusch anti-trust suit against major companies before Judge Alfred M. Coxe in U. S. District Court here.

Joseph Quittner, Middletown, N. Y., exhibitor, who is now seeking to appeal from an adverse decision in a similar anti-trust suit against major companies tried in Federal court here last year, was another witness at yesterday's session. Quittner testified that after his failure to make a deal with Paramount several years ago the company built a competitive theatre which thereafter obtained the bulk of the available first run product. Quittner is scheduled to resume the stand Monday.

Who? What? When?

(Continued from page 1)

rently is manager for Columbia here. He was taken on by the company as a salesman on Feb. 2, 1929, having had similar experience with Enterprise Films and Liberty Specialty Films for a year. On May 28, 1929, Rogers got his managerial post with Columbia.

M. A. LIGHTMAN, representing affiliated exhibitors on grievances, was a headline name in pictures for several years as president of the National M.P.T.O.A., a post which he resigned last year to make way for Ed Kuykendall, current incumbent. During his tenure of office, Lightman was confirmed in his idea that the best method of obtaining concessions for independent exhibitors was by cooperation with distributors and major circuits. Lightman's background is that of a civil engineer; he was in the construction industry before entering this. He started actively in exhibition in 1925, but from 1917 to 1920 was a state right operator via the Criterion Film Co. of Atlanta which sold pictures in six southern states. Lightman is president and general manager of Malco Theatres, Inc. and appears on the grievance board as representative of affiliated theatres through a partnership in a number of publix houses in this territory. Malco operates 27 theatres in 15 Arkansas towns and the Strand (1,200 seats) and Princess (774) in Memphis. Most of Malco's Arkansas theatres are small and located in Camden, Clarksville, Conway, Fayetteville, Helena, Hope, Jonesboro, Morrillton, Newport, North Little Rock, Paragould, Pine Bluff, Smackover, Springdale and Stuttgart.

WILLIAM RUFFIN, representing unaffiliated exhibitors on grievances, makes his home in Covington, Tenn. He is a former secretary of the M.P.T.O. of Arkansas, Mississippi and Tennessee and now a member of that unit which is affiliated with the national M.P.T.O.A. He owns and runs the Palace, 400 seats, in his town.

FRANK WILLINGHAM, representing affiliated national distributors on clearance and zoning, launched himself in the world of business as a billing clerk for the Texas and Pacific Railroad at Dallas. It was in 1919 that he entered the film business as a cashier for World Film in the same city. When Select absorbed World, Willingham was kept on in the same job. Later he resigned to join the R. B. Lewis Co., also as a cashier and was a manager for Independent Film Service until the company dissolved about a year after Willingham joined it. Another post was with American Releasing until that company was merged into Selznick. He joined Metro as a booker in Dallas on June 25, 1923, was made office manager on July 18, 1925 and a salesman on May 15, 1926. His appointment to managership for Metro here, the post he now holds, was made on Oct. 4, 1926.

W. E. SIPE, representing unaffiliated distributors on clearance and zoning, first saw daylight in this weary old world on Jan. 12, 1878. The place was Belington, W. Va. Followed, in due time, an education in elementary, high and business schools and in a private college where he specialized in academic subjects. He was in business for himself before he joined Universal on April 1, 1925. Today, Sipe is branch manager for the Laemmles in this Mississippi River town.

HOWARD WAUGH, representing affiliated first runs on clearance and zoning, launched himself by ushering people to the wrong seats for Jules Delmar 30 years ago at Celeron Park in New York. After his parents had exposed him to various forms of education, none of which took, according to Waugh, he became a newspaper reporter in Jamestown, N. Y. When the paper went to the wall, a something which the hero of this biography declares he had nothing to do with or about, Waugh went to work as a publicity and exploitation man for Peterson and Woods in the same town, finally becoming their city manager. He came to Memphis 12 years ago for Paramount under Harold B. Franklin and after three years of it was paroled, he declares, to the Howard, Atlanta, where he and J. J. Franklin failed to get along. Franklin won and Waugh next appeared in Milwaukee where he opened the Alhambra for Universal and later left to become district manager for the old Saxe circuit. When Fox purchased the Poli circuit in New England, he joined that organization in New Haven. He has been with the Warners in Philadelphia and Memphis for the past three years. Waugh says he doesn't drink, play golf or cards, doesn't skate, fish, hunt or fly and is still happily married. With his sense of humor, he runs the Warner string in this territory, including the Orpheum (500 seats) in Fulton; New Kentucky (1,000) and Princess (600) in Henderson; Princess (900) in Mayfield; Bleich (900) and Owensboro; Empress (800) in Owensboro; and Savoy (400) in Princeton, all in Kentucky and the Warner (2,000) in Memphis.

SIDNEY NUTT, representing unaffiliated first runs on clearance and zoning, makes his home and business headquarters in Little Rock, Ark., where he operates two houses: the Central, capacity 500, and the Princess, capacity 900. He is a member of the Tri-States M.P.T.O. and prominent in its affairs.

T. W. SHARP, representing unaffiliated subsequent runs on clearance and zoning, operates in Little Rock, Ark., where his theatres number three. These are the Little Roxy (300 seats), New (325) and Prospect (600). Formerly a member of the Tri-States unit, he is now president of the Independent Theatre Owners of Arkansas, formed on Feb. 7 by 32 independent theatre owners in this section. The new organization is not affiliated with any national exhibitor body.

A. J. SUZORE, second exhibitor representing unaffiliated subsequent runs on clearance and zoning, is proprietor of the Bristol here, seating 500, and is not identified with any exhibitor organization.

Academy Offers List For Code Committees

HOLLYWOOD, Feb. 23.—A list o names to be submitted to Divisio Administrator Sol A. Rosenblatt wa drawn up today by the Academy fo places on code committees. Include were Lionel Atwill, Warner Baxter Lionel Belmore, Alice Brady, Laur Hope Crews, William B. Davidson Marie Dressler, Irene Dunne, Ray mond Hatton, Helen Hayes, De Henderson, Katharine Hepburn, Jea Hersholt, Walter Huston, Georg Irving, DeWitt Jennings, Henr Kolker, J. Farrell MacDonald, Thom as Meighan, Warner Oland, Nanc O'Neill, Elizabeth Patterson, Lew Stone, Henry Walthall and Hele Ware.

If the Academy succeeds in finan ing a resumption of its researc work, nine major projects involvin standardization of equipment will b resumed where they were left o during the Academy siesta.

At a press luncheon T. J. Ree president asked for support of th Academy, particularly the award banquet. Frank Capra said the Aca emy was resuming an important pla in the industry, despite individu group organizations.

Naming of 12 More Boards Seen Monda

(Continued from page 1)

past few days, it was learned yeste day.

The committee adjourned last Tue day with but little progress made sin the naming of 20 boards the precedi day. The telephone consultations b tween members since that time are sa to have resulted in completing 12 mo of the 16 remaining boards. It is u derstood that New York, Chicag Cleveland and Philadelphia boards st remain unsettled. Code Authority h the right to review and either rej or make changes in the personnel the boards and may take summary a tion Monday on naming appointees the disputed boards, thereby compl ing all of them at that time.

Ill. Allied Off Duals; Reelects Saperstei

(Continued from page 1)

They are E. W. Haferkamp and E. Alger, vice-presidents; Harry Lask secretary; S. H. Selig, treasure Louis Abramson, recording secretar Harry Nepo, sergeant-at-arms. C change was made in the director which consists of Nate Wolfe, I Lasker, Verne Langdon, Ludwig Su man, Louis Rudolph, Walter Babitz Roberts, Ben Bartelstein, Jack Rc Joseph Stern and Van Nomokis, w replaces Steve Bennis.

Paramount Publix Los

MELROSE, MASS., Feb. 23.—Da ages of $45,000 were awarded E. Loew and nine associated compa today in their suit against Paramo Publix charging restraint of tra Additional damages of $28,000 may awarded the plaintiffs.

Miss Dressler Object

HOLLYWOOD, Feb. 23.—News patches that she had been inclu among foreign stars under investi tion by a Senate committee look into alien talent brought from M Dressler today high indignation.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

OL. 35. NO. 46 NEW YORK, MONDAY, FEBRUARY 26, 1934 TEN CENTS

McDonough to Speed Rulings In Studio Job

Kahane Sees Increased Efficiency Coming

Elevation of J. R. McDonough to e presidency of Radio Pictures Corp. eans that he will be able to make ick decisions when in Hollywood matters which heretofore have deanded attention in New York, said B. Kahane on arriving here from e coast yesterday.

This will make for a smooth runng organization and relieve him of nsiderable responsibility, Kahane ated.

Among McDonough's duties will be keep an eye on overhead and to iminate major items of waste, while ming at greater efficiency.

Kahane states that McDonough, as ce-chairman of the RKO board, is

(Continued on page 9)

Nominations Set On Academy Awards

Hollywood, Feb. 25.—The sixth anal awards of the Academy will be ted upon by members from the folwing nominations and the winners vulged at the annual dinner or larch 16:

Best Performance, Actress: Kathine Hepburn in "Morning Glory"; lay Robson in "Lady for a Day," iana Wynyard in "Cavalcade."

Best Performance, Actor: Leslie oward in "Berkeley Square," Chars Laughton in "Henry the VIII,"

(Continued on page 2)

K. C. Houses Talk Suits in Rate War

Kansas City, Feb. 25.—With the reakdown of efforts to secure a 100 er cent agreement banning duals, iveaways, etc., and the certainty of drastic price war led by the big owntown houses, some of the suburans are talking lawsuits against the rst runs and major distributors.

Some of them are also discussing ppeals to the Code Authority and

(Continued on page 9)

FWC and U. A. Close A Deal on Chinese

Hollywood, Feb. 25.—United Artists and Fox West Coast have ormed the Hollywood Chinese Thea-

(Continued on page 2)

Hollywood Heading Toward Cooperation, States Zukor

By RED KANN

Conceding frankly he did not know whether or not the code was responsible or whether it was an awakening sense of realization that the industry goes best as its component parts go, Adolph Zukor declared on Saturday factors in Hollywood are cooperating today as never before to his knowledge.



Adolph Zukor

"There is much more interest in what's going on elsewhere in

(Continued on page 9)

Page Diogenes

Toronto, Feb. 25.—Premier George S. Henry of Ontario considers exhibitors honest men. His report shows a shortage of only $1.16 in the amusement tax returns for the past three years. This included a discrepancy of one cent in 1931.

Paramount Opposes Anti-Trust Awards

Boston, Feb. 25.—Paramount will file motions to have sections of Auditor Elias Field's report awarding E. M. Loew and nine associated companies $45,000 damages eliminated when the local exhibitors' anti-trust suit goes to trial in U. S. District Court here in about two weeks.

Auditor Field's report to the Fed-

(Continued on page 9)

Majors Argue Over Boards' Makeup Here

It's a case of major interests versus major interests, plus objections to submitted names from independent exhibitor sources, insofar as code boards for New York are concerned.

The territory, richest in the United States, and its complexities, including far-flung operations of producer-affiliated circuits such as Loew's and RKO and strong neighborhood circuits minus producer or distributor tie-ins. are causing an internal fuss which

(Continued on page 9)

Who? What? When?

Fifth instalment in a biographical series on the men who make up the code boards.

Omaha, Feb. 25.—Ted Mendenhall, representing affiliated national distributors on the Omaha grievance board, was born in Oskaloosa, Ia., on May 29, 1889. There was a time when he was a salesman for the Liggett-Meyers Tobacco Co. and the Wilson Chemical Co. as well. He once owned and operated theatres in Kansas City, in his home town and in Racine, Wis. Turning back the pages on Mendenhall reveals he joined Paramount as a salesman attached to the Des Moines office. This was in October, 1920. He was given his own office at Sioux Falls on Jan. 3, 1925, was transferred to his present post, as manager for Paramount here, on June 7, 1926.

James Jerome ("Jerry") Span-

(Continued on page 6)

Pittsburgh, Feb. 25.—Ben Kalmenson, representing affiliated national distributors on the Pittsburgh grievance board, will be replaced in view of his recent transfer from distribution to exhibition as booker of the Warner circuit in this territory succeeding Frank Damis who has been returned to the New Jersey zone. Charles Rich, former Washington salesman, is Kalmenson's successor. Locally, film men believe he will get the board post. However, officially the latter retains his appointment until Code Authority, sitting in New York, takes necessary action. Kalmenson was born here on Jan. 3, 1899 and educated in Brooklyn, N. Y. Ten years of his business life were spent with the Crucible Steel Co. He

(Continued on page 6)

Authority May Rule Today on Cancellations

Both Date and Type of Contracts Affected

Formal ruling on the 10 per cent cancellation provision of the code, both as to a retroactive date and a definition of the contracts to which it will apply, may be made at today's meeting of the Code Authority which is scheduled to discuss the cancellation provision for the first time.

Division Administrator Sol A. Rosenblatt will attend the meeting. He has made a previous interpretation independent of Code Authority that the cancellation provision is retroactive to Dec. 7 and subsequently the NRA legal department has held that interpretations of code provisions by the administrator shall prevail. It

(Continued on page 9)

Code Assents Pass Beyond 9,000 Mark

Code assents passed the 9,000 mark on Saturday with receipt of approximately 1,400 individual forms from Paramount and Warner theatres. These houses had been covered by a blanket assent executed by the parent companies, but were not represented individually in the total assents received up to that time.

Other assents received Saturday brought the total to 9,039 from the 7,574 on hand Friday morning. Many

(Continued on page 9)

Keyes, Dayton, Held First Run Exhibitor

Cincinnati, Feb. 25.—A number of local film men fail to understand appointment of W. A. Keyes, operator of the Victory at Dayton, on the Cincinnati clearance and zoning board as one of the two exhibitors representing unaffiliated subsequent runs.

Keyes is viewed beyond all argument here as a first run who plays film virtually out of the can in opposition to RKO and Loew's in his city.

Blumenthal to Open Casino as 1st Run

The Casino, formerly the Earl Carroll, one block below the Roxy on 7th Ave., is slated to become a first run shortly. Louis F. Blumenthal will be the operator.

MOTION PICTURE DAILY

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Caravan Arrives at St. Louis on Tour

ST. LOUIS, Feb. 25.—The "Moulin Rouge" caravan arrived here today and received an elaborate reception from citizens, officials and exhibitors. It will stay over here two days before heading for Kansas City.

The troupe came here from Indianapolis where Mayor Reginald H. Sullivan greeted the visitors and presided at a banquet and broadcast at the Columbia Club.

Felix Feist Returning

Felix F. Feist, general sales manager of M-G-M, returns from Hollywood and a sales trip this week.

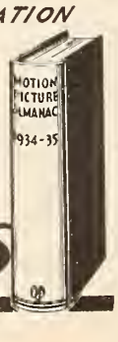
MOTION PICTURE ALMANAC

1934-35

NOW IN PREPARATION

WHERE THE WORLD LOOKS FOR MOTION PICTURE facts

PRICE $5.00



Insiders' Outlook

METRO directors can profit by talking to Frank Capra on ways and means of handling Clark Gable. The Gable in "It Happened One Night" is a new sort of guy; human and even full of charm. It ought to be easy to arrange, for Capra will be over at Culver City in a while to direct "Soviet" for Metro. That's the retort courteous from Columbia for getting Gable. You'll have to be fast and listen closely, but if you do you'll notice the bus driver in one of the early sequences announcing the stops between Miami and New York and mentions Columbia twice. He means the Columbia which is in South Carolina but doesn't worry much about designating the state.

▼

Marlen Pew, chief pen-wielder of *Editor and Publisher*, who resents Hollywood's interpretation of what newspaper men are like, won't find anything but praise to hurl at the way Gable is given his part to play. He's made out to be a swell guy in a gorgeous piece of entertainment. You even get a shot of Claudette Colbert's gam. We've been waiting for it a long time. Used to get a flash on the stage here in New York regularly, but practically nothing in pictures and that's where Hollywood has missed. . . .

▼

Many distributors are afire with indignation over the star system in the *Daily News*. That is, they're indignant when they don't get them and forgetful about their ire when they do and don't deserve them. Latest ridiculous instance in point is "It Happened One Night," which drew two and a half, whereas "Shadows of Sing Sing," another Columbia which the boys there discuss with their fingers playing in the general direction of their schnozzles, drew three. . . .

▼

Endorsed: The stage show at the Music Hall. It's "The Birthday of the Infanta," based on Oscar Wilde's lovely story, which gets full play in pageantry and scope on that theatre's huge stage. Source of wonderment: How the orchestra at the Capitol can be so consistently terrible. . . . So? The "Christina" trailer there mentions everything and everybody but John Gilbert. . . . "Journal of a Crime" is Ruth Chatterton's exit picture for Warners. Some of the executives there regard it as her best. . . .

▼

Metro publicity, in the wily hands of Billy Ferguson and Si Seadler, couldn't have had anything to do with those box-and folding-chair expectants at the Capitol, of course. It all had to do with the Gable, who is much noise in these parts this week. . . . The agents' situation on the coast continues messy, code or no code. . . . The remaining boards probably will pop today. That is, except New York, which is difficult. You can get more on that on page one today. . . .

KANN

Loew Pfd. Off 1½ on Big Board

	High	Low	Close	Net Change	Sales
Consolidated Film Industries	4⅝	4⅜	4⅜	.....	700
Consolidated Film Industries, pfd	16¼	15⅝	15¾	— ⅝	1,500
Eastman Kodak	89	88¼	88¼	—1¼	700
Fox Film "A"	15¼	14⅞	14⅞	— ⅛	300
Loew's, Inc.	31¾	30½	30½	—1¼	12,300
Loew's Inc., pfd	90	90	90	—1½	100
Paramount cts	4¾	4⅜	4⅝	— ⅛	13,800
Pathe Exchange	3⅛	3	3	— ⅛	1,400
Pathe Exhange "A"	16⅝	16⅛	16½	.....	1,100
RKO	3⅜	3¼	3⅜	.....	3,600
Warner Bros.	7	6⅞	6⅞	.....	3,700

Universal Drops 1 on Curb

	High	Low	Close	Net Change	Sales
Sentry Safety Control	⅜	⅜	⅜	— 1/16	400
Technicolor	9½	9⅛	9⅜	— ⅜	500
Trans Lux	2½	2½	2½	— ⅛	200
Universal Pictures	3½	3⅛	3⅛	—1	200

Warner Bonds Off 1½

	High	Low	Close	Net Change	Sales
General Theatres Equipment 6s '40	9½	9	9	— ⅝	25
General Theatres Equipment 6s '40 ctf	8¾	8¾	8¾	—1	5
Keith, B. F., 6s '46	62⅛	62⅛	62⅛	+ ⅛	1
Loew's 6s '41 ww deb rights	96	95	96	+ ¼	9
Paramount Broadway 5½s '51	38	38	38	—1	2
Paramount F. L. 6s '47	46	45	45	—1	9
Paramount Publix 5½s, '50	45¼	44¾	45	— ¼	13
Pathe 7s '37 ww	93	93	93	— ½	2
Warner Bros. 6s '39 wd	54	53	53	—1½	26

Nominations Set On Academy Award

(Continued from page 1)

Paul Muni in "I Am a Fugitive fro a Chain Gang."

Best Direction: Frank Capra f "Lady for a Day," George Cukor f "Little Women," Frank Lloyd f "Cavalcade."

Best Production: "Farewell t Arms" (Paramount), "Cavalcad (Fox), "42nd Street" (Warners), " Am a Fugitive from a Chain Gan (Warners), "Lady for a Day" (C lumbia), "Little Women" (Radio "She Done Him Wrong" (Par mount), "Smilin' Thru (M-G-M "State Fair" (Fox), and "Henry t VIII" (London Films-United Artists

Best Original Story: "One W Passage," by Robert Lord; "T Prizefighter and the Lady," by Fra ces Marion; "Rasputin and the E press," by Charles MacArthur.

Best Adaptation: "Lady for Day," by Robert Riskin; "Lit Women," by Sarah Y. Mason and Vi tor Heerman; "State Fair," by Pa Green and Sonya Levien.

Best Cinematography: Char Lange for "Farewell to Arm George Folsey, Jr., for "Reunion Vienna." Karl Struss for "The Si of the Cross."

Best Art Direction: "Farewell Arms." "Cavalcade" and "Wh Ladies Meet." Authentic credits being worked out.

Best Sound: "Farewell to Arm "42nd Street," "Gold Diggers 1933" and "I Am a Fugitive from Chain Gang."

Nominations in the short subj division and on the special award assistant directors will be named t week.

FWC and U. A. Clos A Deal on Chine

(Continued from page 1)

tre Operating Co. to take over ope tion of the Chinese. Joseph Schenck represents U. A. on the rectorate and Charles Skouras Charles A. Buckley, FWC. Each will hold 50 per cent of the stock

FWC also plans a new company operate the Pantages, Hollywood, a deal which takes over the lease by Rodney and Lloyd Pantages.

"Nana" Press Book Ou

A determination to spare no pense in putting Anna Sten over reflected in United Artists' press b on "Nana." It is a distinctive p of work, with advertising matter fined and artistically laid out. Ple of features and stuff for the wom pages are included. There is a la display of the star in alluring po

To Test Public Taste

DALLAS, Feb. 25.—A test of whe the public prefers hokum or truth films will be made at the w premiere of "As the Earth Turns" the Melba here March 2. An inv audience from all walks of life sit in judgment at the showing.

New Actors' Body

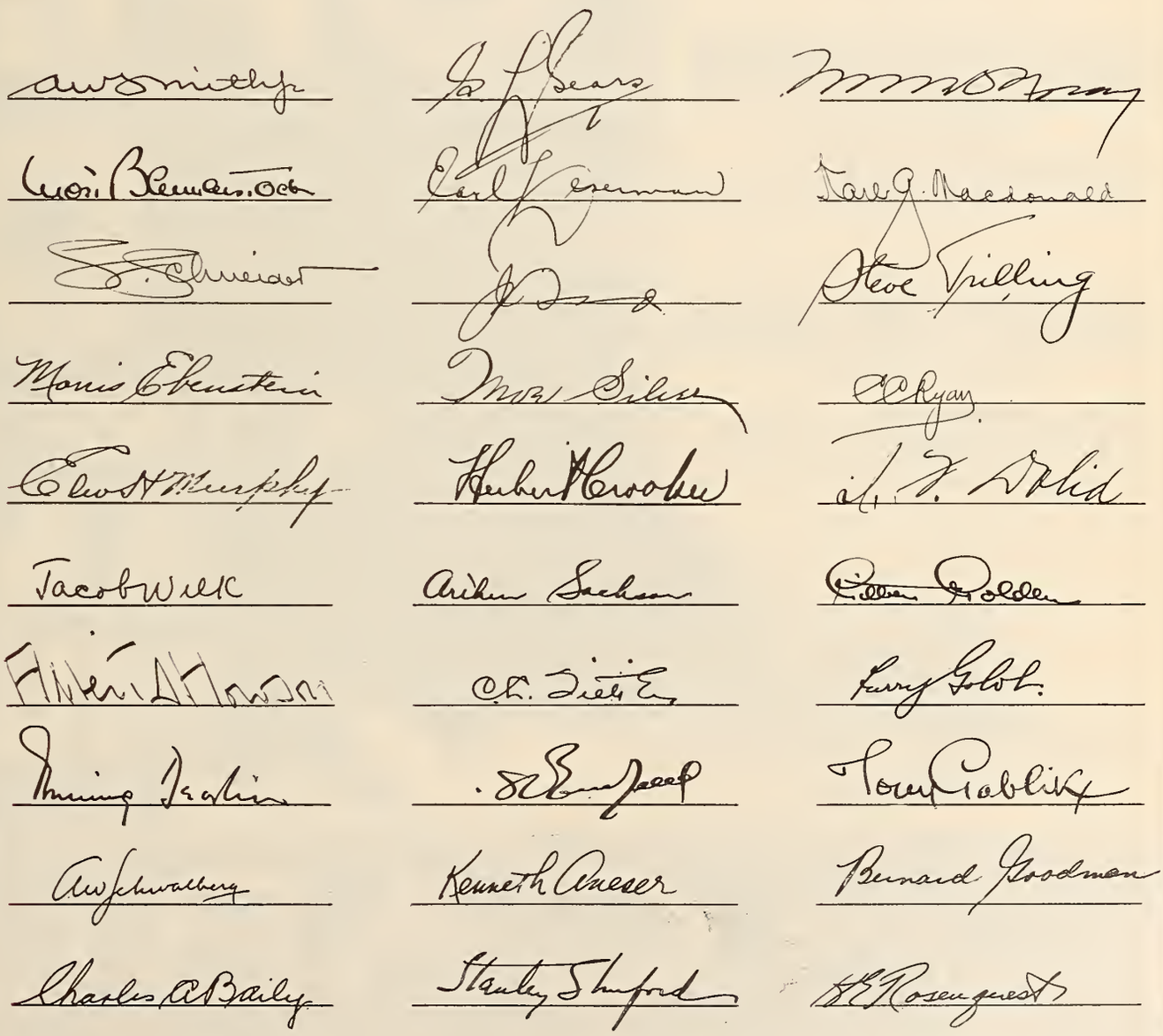
The American Federation of Act an outgrowth of the Actors' Bet ment Ass'n., was organized foll ing a mass meeting which broke early Saturday morning at the H Edison.

A PERSONAL STATEMENT FROM WARNER BROS.' EMPLOYEES

We, the undersigned home-office employees of Warner Bros., having duly previewed the picture known as "JOURNAL OF A CRIME," do hereby of our own free will record our sworn belief that it is one of the most brilliant productions ever delivered by Warner Bros.' Studio.

And whereas we desire to give tangible expression to our exceptional enthusiasm for this great entertainment, therefore we do now authorize the paid publication of this resolution as our personal recommendation of this attraction to the motion picture trade.

(Signed)





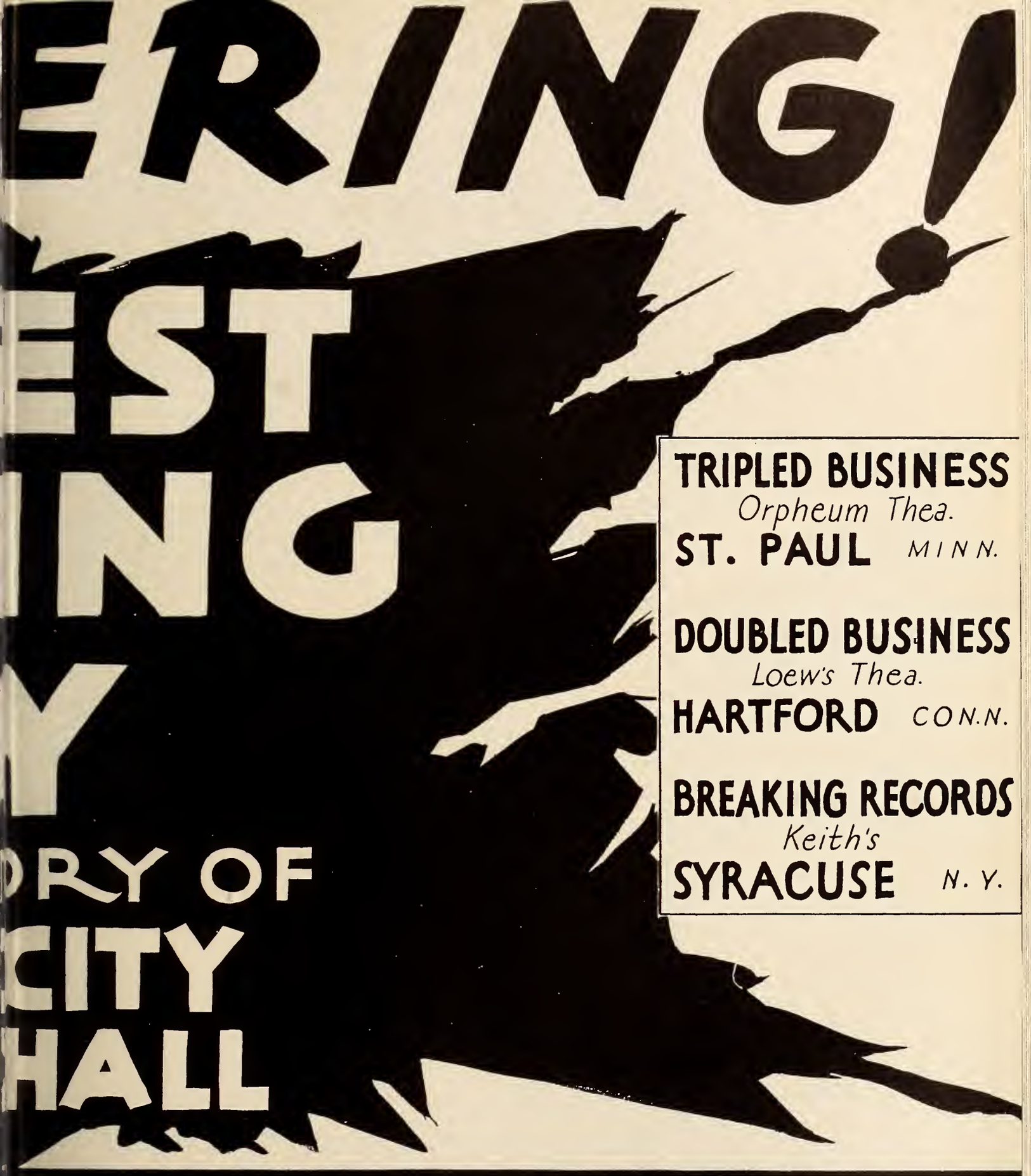
Sworn to before me this 23rd day of February, 1934

Dorothy K. Rubin

(SEE RUTH CHATTERTON IN "JOURNAL OF A CRIME" AT WARNER BROS.' NATIONAL TRADE EXHIBIT MARCH 6TH)

A First National Picture. Starring Ruth Chatterton, with Adolphe Menjou, Claire Dodd. Directed by William Keighley.


STAGG
BIGG
OPEN
DA
IN THE HIST
RADIO
MUSIC
BROKE HOUSE RECORD
Keith's WASHINGTON D.C.
BROKE HOUSE RECORD
Bijou Thea.
SPRINGFIELD MASS.
BROKE 2 YEAR RECORD
Roxy Thea.
SEATTLE WASH.
COLUMBIA PICTURES
Clark GABLE AN
"IT HAPPENED
A FRANK CAPRA
PRODUCTION
Directed by the man who created
"LADY FOR A DAY"



TRIPLED BUSINESS
Orpheum Thea.
ST. PAUL *MINN.*

DOUBLED BUSINESS
Loew's Thea.
HARTFORD *CON.N.*

BREAKING RECORDS
Keith's
SYRACUSE *N. Y.*

Claudette COLBERT

ONE NIGHT"

with

WALTER CONNOLLY
ROSCOE KARNS

Story by Samuel Hopkins Adams
Screen play by ROBERT RISKIN

A COLUMBIA
PICTURE

Pittsburgh

(Continued from page 1)

was branch manager or First National in Albany from 1925 to 1931 when he was transferred to Kansas City and returned to Pittsburgh on Jan. 1, 1932.

BERT M. STEARN, representing unaffiliated distributors on grievances, was born in Cincinnati on July 21, 1896, and was educated in Cleveland high schools and Columbia University. Prior to entering the industry, he ran a department store at New Castle, Pa. Returning to Cleveland later, Stearn went into the state right end of the business on his own; later joined Metro there and then became Warner branch manager. Followed a transfer to the home office. Another return to the city on Lake Erie's shores found him this time with United Artists. Five years ago he was shunted here as branch manager for U. A., his current post. One section of the industry in Pittsburgh questions his appointment as spokesman for unaffiliated distributors since United Artists holds an interest in the Penn, although the Loew circuit operates.

MIKE J. CULLEN, representing affiliated exhibitors on grievances, got going in amusements with the Ringling circus quite a while back and then joined the Fabians in Northern New Jersey after the latter had made their deal with the Mastbaums and the Stanley Co. of America. There, Cullen remained for seven years, later joining Max Spiegel and the Mark Strand interests in New York. It was two years later when he first joined the Loew circuit, becoming city manager in Washington. From that city, he was transferred to Pittsburgh and placed in charge of Loew's Penn which seats 3,300. He carries the title of city manager with but a single operation on his hands, the Aldins, or some time having been closed. Cullen, very well known here and well liked, is about 35 years old.

D. C. E. HERMAN, representing unaffiliated exhibitors on grievances, is a theatre operator with nearby Carnegie as his base of operations. There he operates the 850-seat Carnegie and the 750-seat Liberty. He is president of the M.P.T.O. of Western Pennsylvania of which Fred J. Herrington has been business manager for years. The unit of which Herman has been president for the last 18 months, is one of the strongest links in the Allied States chain.

JOHN J. MALONEY, representing affiliated national distributors on clearance and zoning, is as Irish as his name indicates. He once studied for the priesthood and was educated at Mount Gallitzen Academy, Duquesne University and St. Vincent's College. His business experience includes a fling at selling bonds and a whirl at professional baseball. His route into the industry was by way of Famous Players as a salesman out of Pittsburgh. That was about 15 years ago. Later, a post with Goldwyn as a salesman. His company service record reveals he became a manager on Oct. 29, 1923, and, when Metro acquired Goldwyn, a salesman again for the combined company. By date, this was April 27, 1925. It was less than a year later—Jan. 25, 1925—that Maloney was elevated to a managership in Pittsburgh. That post has been his for the last nine years.

Who? What? When?

JAMES H. ALEXANDER, representing unaffiliated distributors on clearance and zoning, is rounding out two decades in the film business. He is the owner of Alexander Film Service, which, in turn, owns the Monogram franchise in Western Pennsylvania and West Virginia.

Alexander first saw the light of day in Prospect, Butler County, Pa., on Sept. 26, 1884, and embraces in his pre-film business experience 10 years as a bookkeeper for wholesale grocery concerns. In 1912, he joined Metro in an identical capacity and as a traveling auditor, later moving up into an office managership, but for First National. It was in 1920 that he entered independent distribution with a Columbia franchise here.

HARRY KALMINE, representing affiliated first runs on clearance and zoning, chalks up 1915 as the year in which he entered the picture business after some years in the "legit" field. He started as a music boy and successively was stagehand, treasurer, manager and roadshow manager in the theatre and recalls his first picture job at the Classic Theatre, 181st St. and St. Nicholas Ave., New York. In 1917, he enlisted as a private, was wounded and discharged from service in 1919 after seeing active service. Immediately thereafter he operated his own house in East Rutherford, N. J., and later was placed in charge of the 16 houses owned in Jersey by Louis Rosenthal.

Following was a city managership for the Fabians in Hackensack. When the Fabians acquired the Haring and Blumenthal houses in Hudson County, Kalmine was appointed district manager. When Warners acquired the Stanley Fabian interests, he was named assistant zone manager and shortly thereafter head booked for the entire Warner circuit with headquarters in New York. After decentralization of the booking office, Kalmine was returned to Northern Jersey as zone manager with 44 houses under his wing.

His promotion to Pittsburgh, where he has 60 theatres to care for, followed two years in the Jersey post. Kalmine has been on local ground for 18 months supervising not only the biggest string of circuit houses in Pittsburgh but theatres of varying sizes, most of 1,000 seats and more, in Pennsylvania towns like Ambridge, Brookville, Butler, Dormont, Donora, Erie, Etna, Greensburg, Johnstown, McKeesport, North Kensington, Punxsutawney, Ridgeway, Sharon State College, Tanenbum, Titusville, Washington and Wilkinsburg. In West Virginia, his towns include Charleston, Clarksburg, Fairmont, Morgantown, Parkersburg and Wheeling. In Kentucky, Owensboro and Princeton. In Ohio, Steubenville. Here in Pittsburgh, the Warners operate 14 houses, ranging from the 4,000 Stanley downtown to the 400-seat Palace. In between are the Arsenla, Belmar, Cameraphone, Enright, Kenyon, Manor, Plaza, Regent, Ritz, Schenley, Sheridan Square, Warner and William Penn.

FRANK HARRIS, representing unaffiliated first runs on clearance and zoning, is a brother of the late John Harris, long regarded as one of the outstanding exhibitors in this part of the United States. Frank is a state senator, president of the Harris Amusement Co., which owns and operates 18 theatres with plans for more and is viewed as likely gubernatorial fodder in the fall elections. If this political move develops, it is probable Harris will be compelled to curtail his interest in theatres which are being operated by James G. Balmer. The Harris string includes these in Pittsburgh: Avenue (282 seats), Harris-Family (1,000), Harris-Beachview (350), Harris-Mt. Oliver (1,550) while in the offing as a downtown first run is the reconstructed Alvin which will not be ready for a couple of months. Also in the circuit are the Harris (300) in Jeanette, Pa.; Drake (1,875), Latonia (1,500) and Lyric (756) in Oil City; Adelphia (650) and Liberty (4,375) in Reynoldsville; St. Mary's (750) in St. Marys and the Family, Detroit.

ALEX MOORE, representing unaffiliated subsequent runs on clearance and zoning, has been a theatre operator a la solo for 18 years, coming here from Allentown at the other extreme of the state. Moore's theatres are the Hilltop (600 seats) and the Capitol (650). Both are in the suburbs. He is on the roster of the M.P.T.O. of Western Pennsylvania, an affiliate of Allied States.

JOSEPH WEISS, second exhibitor representing unaffiliated subsequent runs, on clearance and zoning, makes his headquarters in McKeesport, where he has been in business for the last two decades. He runs the Liberty, capacity 900; and the Capitol, capacity 700 and is not affiliated with any exhibitor body.

Omaha

(Continued from page 1)

DEAU, representing unaffiliated distributors on grievances, and some important facts about his past:

Born May 11, 1892, in Pittsburgh. Educated at the Freehold Military Academy; East Liberty High School, Pittsburgh, and at Carnegie Tech for two years and a half, where he went in for architecture. His film experience includes two years with Warners from 1912 to 1914; with World Film from 1914 to 1917; with Universal from 1917 to 1918; with Fox from 1918 to 1922; three years as operator of the Family Theatre, Braddock, Pa., or from 1922 to 1925; with Universal beginning Feb. 16, 1925, and there ever since. Currently, he runs the "U" exchange here.

WILL SINGER, representing affiliated exhibitors on grievances, is at present manager of the 1,100-seat Brandeis, an RKO house. The latter started his theatrical career in 1903 as manager of the Alhambra in Milwaukee, playing straight vaudeville. In 1904, he managed the Dewey, Minneapolis, playing burlesque; from 1905 to 1908 he managed and was part owner of the La Salle, Chicago, playing musical stock. In 1908, Singer took over management of the Princess, playing musical stock. From that time until 1920 he travelled with several road musical comedy shows with his brother, Mort. In 1920 he became manager of the Rialto, St. Louis, where he first went into the picture and vaudeville field. From 1921 to 1931, it was the State-Lake, Chicago, for Orpheum. In 1931, he went to Milwaukee, where he managed the Riverside after which he went to Omaha. Singer is 56 years old, a member of the Masons and Elks and speaks German fluently.

WALTER CREAL, representing unaffiliated exhibitors on grievances, operates the Beacon, Omaha, and is a member of the M.P.T.O. of Western Iowa and Eastern Nebraska, an affiliate of the M.P.T.O.A. His house seats 500.

A. M. AVERY, representing affiliated national distributors on clearance and zoning, was a branch manager for Pathe in Dallas. He became a salesman for RKO in that city on Nov. 9, 1931; a branch manager on March 12, 1932, and was switched here in an identical capacity on March 28, the same year.

D. V. MCLUCAS, representing unaffiliated distributors on clearance and zoning, has been a United Artists branch manager since Nov. 22, 1933, when he was given the company's office here. Prior to that he was a booker for the same organization.

RALPH G. BRANTON, representing affiliated first runs on clearance and zoning, had years of exploitation behind him before stepping into theatre operation, which has been his forte for a number of years now. Much of his experience is tied in with the old Finkelstein and Ruben circuit in Minnesota and the Dakotas. When that circuit was bought by Publix, Branton went into an association which has stuck. For some time he was stationed in Boston where he ran the Publix New England circuit with Marty Mullin. Then came a transfer to the Omaha and Des Moines territory. Currently he is operating head of Tri-State, a bankruptcy outgrowth of Publix operations in this sector under A. H. Blank, who is trustee in bankruptcy for the company.

Tri-State embraces in its fold the Bonham (900 seats) at Fairbury; Capitol (1,177), Majestic (1,000) and Island (600) in Grand Island; and the Orpheum (2,975), Paramount (3,000), State (1,081) and World (2,500) in Omaha. Its Iowa holdings include the Capitol (1,300) and Princess (1,200) in Sioux City.

H. F. KENNEDY, representing unaffiliated runs on clearance and zoning, is a former state senator and now operator of the Lyric at Broken Bow where he lives. The house seats 400. Kennedy is a director of the M.P.T.O. of Western Iowa and Eastern Nebraska.

CHARLES E. WILLIAMS, representing unaffiliated subsequent runs on clearance and zoning, is in his 14th year as president of the M.P.T.O. of Western Iowa and Eastern Nebraska. He owns and operates the Parl here. The house seats 250.

SAM EPSTEIN, second exhibitor representing unaffiliated subsequent runs on clearance and zoning, is president of Nebraska Theatres Corp., a local company operating six theatres in Omaha. They are the Marylan (425 seats), Benson (500), Circl (500), Corby (500), Roseland (500) and Tivoli (500). Like Creal, Kennedy and Williams, Epstein is a member of the M.P.T.O. of Western Iowa and Eastern Nebraska. Also director.



Norma SHEARER

SOON

To every exhibitor in the world . . . to every patron who patiently waits and wonders. Magic words . . . SOON NORMA SHEARER in "RIP TIDE." Magic, because all the months of waiting intensify the thrill of the glorious attraction she has just completed. Sinners in silks are the chosen rich of her romantic story . . . their lives, loves, heart-aches . . . their drama pulsating across continents and oceans . . . Manhattan, St. Moritz, the Riviera, London . . . and Norma Shearer exceeding the beauty and allure of her "Divorcee" and "Strangers May Kiss" fame! Proudly M-G-M brings back to your theatre the First Lady of The Screen!

Produced by **THALBERG**



Majors Argue Over Boards' Makeup Here

(Continued from page 1)

Code Authority concedes prevails and admits was anticipated.

Four or five tentative set-ups have been proposed and changed in the last few days. The probability is there will be additional switches and changes before the appointments are made. That, it is anticipated, will not be today when others of the remaining, unnamed cities are expected to be designated.

The I.T.O.A. for instance, is understood to have registered objections on three counts. It is opposing appointment of Charles C. Moskowitz of Loew's as representative of affiliated exhibitors on grievances. It frowns on proposed designation of J. Louis Geller as representative of unaffiliated exhibitors on the same board and doesn't get a kick out of contemplated naming of Don Jacocks, Warner zone manager in Northern Jersey, as representative of affiliated first runs on clearance and zoning.

Code Authority is endeavoring to set up boards here, as elsewhere, which will work. This is perhaps the chief reason why they are not being named more rapidly.

The New York boards, as tentatively proposed but not necessarily final, are understood to be as follows:

Grievance

Roy Haines, representing affiliated national distributors. He is New York branch manager for Warners.

Eddie Schnitzer, representing unaffiliated distributors. He is New York branch manager for Columbia.

Charles C. Moskowitz, representing affiliated exhibitors. He is one of the top executives at Loew's.

J. Louis Geller, representing unaffiliated exhibitors. He is operator of the 86th St. Playhouse and understood to be interested in the 68th St. Playhouse with Charles L. O'Reilly, a member of Code Authority.

Clearance and Zoning

Myron Satler, representing affiliated national distributors. He is New York branch manager of Paramount.

Harry Thomas, representing unaffiliated distributors. He is president of First Division Exchanges, Inc.

Don Jacocks, representing affiliated first runs, is zone manager for Warners in Northern New Jersey.

Louis F. Blumenthal, representing unaffiliated first runs. He plans to run the Casino, formerly the Earl Carroll, as a first run, and also has the Greenwich, at Greenwich, Conn.

Harry Brandt, representing unaffiliated subsequent runs. He is president of the I.T.O.A. and, with his brother, Billy, runs 17 theatres in New York City, New Jersey and Long Island. They include the Globe, Waldorf and Liberty in Times Square and a string in Brooklyn, embracing the Carlton, Flatbush, Halsey. Others are the Bluebird, De Luxe, and Rex.

Eddie Rugoff, second exhibitor representing unaffiliated subsequent runs. He runs 10 houses in Brooklyn, including the Granada, Tuxedo and Laurel.

Hollywood Heading Toward Cooperation, States Zukor

(Continued from page 1)

the business. There is much less of the insular and more of the national in Hollywood's point of view," he declared.

"The great difficulty has been the apparent impossibility of each individual to detach himself from his own problems. What he has on his mind and what he has to do naturally loom as the most important problems of all.

"For years it has been my idea that cooperation is essential; that the industry, as an industry, rates consideration and that what may appear to be the best policy for one company or one individual is not necessarily the policy which will reflect to the entire industry's good.

"It was, and is, my impression that Hollywood is getting away from the old idea in sufficiently significant measure to make the development something to talk about."

The Paramount president, doubling back on a statement made prior to his departure east from Hollywood recently, appeared confident that real effects of the NRA will reflect themselves in theatres, via general industry, beginning in April. Following the usual warm weather seasonal drop, he anticipates business will be something to talk about beginning in the fall.

Authority May Rule Today on Cancellations

(Continued from page 1)

is pointed out, however, that Rosenblatt's interpretation not only requires clarification from the standpoint of the effective date itself but also fails to specify a clear application of the ruling to different kinds of contracts and to pictures eligible for cancellation. Thus, it is held that there is no definition to show whether the 10 per cent cancellation applies on the total number of pictures contracted for months ago but undelivered on Dec. 7, or merely on the pictures which remained unplayed on Dec. 7. Likewise, the definition is held not to indicate whether it applies to pictures contracted for but not released on Dec. 7, or only to contracts made on or after Dec. 7, regardless of whether the contracts themselves provided for a 10 per cent cancellation.

Leading distributors are known to object to the cancellation ruling in its present form.

The Code Authority today is also expected to approve an application to the NRA for a one month's extension of the time for filing assents to the code. This is the accepted procedure for obtaining an extension and is the method which was followed in putting forward the date on two earlier occasions. The present date for filing assents expires Wednesday.

Ed Kuykendall will act as chairman of today's meeting. Major L. E. Thompson is expected to appear as alternate for M. H. Aylesworth Harold S. Bareford for H. M. Warner, John D. Clark for Sidney Kent, Neil Agnew for George Schaefer and J. Robert Rubin for Nicholas M. Schenck. W. Ray Johnston, R. H. Cochrane, Nathan Yamins and Charles L. O'Reilly will attend in person, in addition to Rosenblatt.

Code Assents Pass Beyond 9,000 Mark

(Continued from page 1)

of those received in the latter group are believed to have been from Allied houses in this region which executed the forms following NRA interpretations which held that signers of the unqualified assent forms waived none of their rights at law in the event of injuries under the code. Indications now are that total assents may pass the 10,000 mark, particularly in view of the likelihood of an extension of the time allowed for sending in assents. The Code Authority at its meeting today is expected to approve a one month's extension beyond the present Feb. 28 deadline.

Skouras Due Today

Spyros Skouras is slated to arrive in New York from Los Angeles today.

Paramount Opposes Anti-Trust Awards

(Continued from page 1)

eral court prior to trial of the suit was based on evidence obtained by deposition. The report held that Paramount Publix had violated the Clayton Anti-Trust Act by engaging in alleged conspiracies in restraint of trade in connection with the arbitration and credit clauses of the old contracts and by alleged conspiracy in relation to 1930 protection schedules here. In addition to $45,000 actual damages recommended in the report other findings of the auditor, if adopted by the court, would bring the total damages to $73,000. Under the anti-trust laws, plaintiffs are entitled to triple damages plus counsel fees.

In addition to motions to have sections of the report set aside, Paramount will contest the auditor's findings with the introduction of new evidence at the trial, it was said. George S. Ryan, counsel for Loew, will also present new evidence in an effort to have the damage award increased.

Corse Payton Dies

Corse Payton, matinee idol for a generation, and owner of a series of stock companies in which some of the well known screen and stage celebrities of the present got their start, is dead. He passed away at the Greenpoint Hospital, Brooklyn. He was 66 years old.

Lichtman-Disney Dicker

Hollywood, Feb. 25.—Before leaving for New York last night Al Lichtman opened negotiations with Walt Disney for a three-year extension of the distribution contract with United Artists. The contract has one more year to go.

McDonough to Speed Rulings In Studio Job

(Continued from page 1)

in charge of theatres, but whether he will continue as the theatre head is uncertain, depending on the action of the board of directors. Leslie Thompson is in direct charge of the circuit with Nate Blumberg as general manager and active operator.

All appointments and changes announced by M. H. Aylesworth on the coast are subject to approval by the board and this is the reason for the eastern trip of executives at this time.

Merian C. Cooper will return from Honolulu in about a month, Kahane said. Pandro Berman, as executive producer, will be responsible to Cooper. The unit system recently announced will not be adopted as a result, and Radio will not use a royalty system for talent, except in a few instances.

While the exact number of pictures to be made next season has not been set, Kahane said, it will be between 40 and 50.

In the party were McDonough, who was suffering from a cold; H. H. McCausland and Ned E. Depinet.

K. C. Houses Talk Suits in Rate War

(Continued from page 1)

Division Administrator Sol A. Rosenblatt.

In the meantime, the Newman has fired the opening gun in the price war by opening with a dual bill at 25 cents top.

Indications are that the Kansas City price and policy war between circuits and neighborhood houses will end up before the local grievance board, and probably will be among the first situations to be handled by that body.

It was learned here that the current situation in Kansas City influenced the Code Authority committee on selections to hasten the naming of the local boards for that territory. Both the grievance and the clearance and zoning boards for Kansas City are complete except for their impartial, non-industry members, which may be named by Division Administrator Rosenblatt at once in view of the increasing seriousness of the situation there. Rosenblatt has characterized some of the Kansas City practices already as violations of the code.

Paramount's Newman added momentum to the Kansas City battle when it inaugurated its new policy of first run double features at 25 cents.

ITOA Gets Stay for Appeal on Operators

Judge Francis Martin in the Appellate Division of the Supreme Court on Saturday signed an order staying execution of Supreme Court Justice Collins's order requiring the return of Local 306 operators to places now held by Allied M. P. Operators' Union members.

The order was obtained by M. A. Albert, attorney for the I.T.O.A. The stay is effective until next Friday when argument will be heard on the I.T.O.A. motion to take the case to the Court of Errors and Appeals.

INTRODUCING

"the Speaker of the Evening"

EVER sit in on a banquet while a toastmaster, with more cracks to his line than a syndicated colyumist, introduced a speaker who was a washout? It happens often.

Think about your theatre the same way. You book a feature, promote it, stunt it, advertise it to a fare-thee-well. And you pack them. You're just like the toastmaster. You've got your customers on edge, waiting for something swell.

And then . . . up comes the speaker of the evening—your sound—the most vital part of your show. And what do your customers do?

If you have High Fidelity, they sit thrilled to the most perfect sound that money can buy. They listen to realism unrivalled by life itself. In short they listen to natural sound, and they go home, sold on your house, sure to come next week.

But, if you haven't High Fidelity . . . Well, why take the negative angle? Some day in the interest of your box office, you will have High Fidelity, and when you do you'll understand and join in the enthusiasm of the hundreds of *ear wise* exhibitors who are making money with their . . .

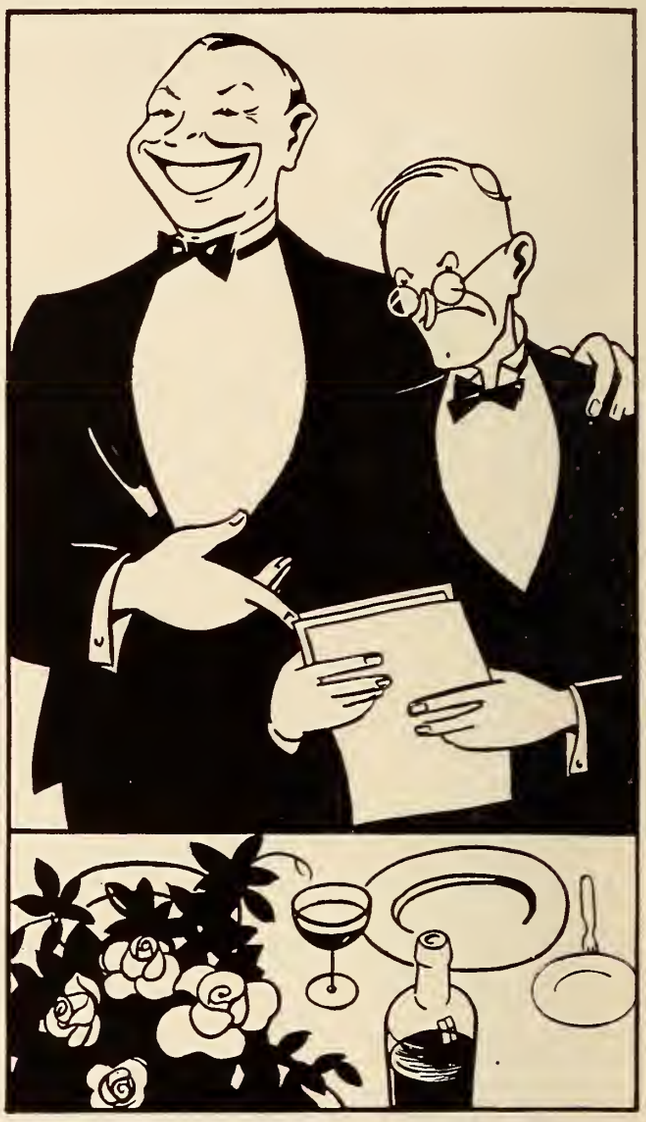
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The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 35. NO. 47 NEW YORK, TUESDAY, FEBRUARY 27, 1934 TEN CENTS

Round Table Studio Talks, MPTOA's Aim

Exchange of Ideas One Of Convention Plans

Round table discussions between those who make films and those who sell them for the first time since talking pictures came in will be one of the central purposes of the annual convention of the M.P.T.O.A. in Los Angeles from April 10 to 12, inclusive. This will be the first convention of the organization on the coast in nine years. Ed Kuykendall, president, feels that the industry has much to gain through taking exhibitors behind the scenes and showing the technical problems involved while at the same

(Continued on page 3)

Film Salaries Made Public in U. S. Quiz

WASHINGTON, Feb. 26.—Showing that but one-fourth of the compensation received by Nicholas M. Schenck from Loew's in 1928 was in the form of cash salary and revealing heavy payments to executives by other film companies, the Federal Trade Commission today sent to the Senate a report on its salary investigation.

Payments to executives by nearly 1,000 companies were reported upon by the commission. An outstanding disclosure of the report was the showing that in some instances 1932 compensation exceeded that of 1929.

The commission reported that Schenck in 1929 received a salary of

(Continued on page 3)

New Federation to Get Union Charter

Formation of the American Federation of Actors means that the American Federation of Labor charter held by American Actors' and Artistes' Ass'n. will be transferred to the new body, according to Ralph Whitehead, executive secretary.

Practically all of the members of the Actors' Betterment Ass'n. have

(Continued on page 11)

Jay Means Talking Suit in K. C. Fight

KANSAS CITY, Feb. 26.—Jay Means, president of the Independent Theatre Owners, has instructed the organization's counsel to consider the advis-

(Continued on page 12)

Time Limit for Filing Code Assents Set Back to Mar. 10

Time for filing of code assents was extended 10 days to March 10 by the Code Authority at its meeting yesterday. The deadline prior to this extension was Feb. 28.

The extension was granted, it was said, in order to give Allied members who have withheld unqualified assents for time to study last week's NRA interpretation which, Allied leaders said, removed their objections to executing unqualified assent forms. Prospects of more than 10,000 assents being received by Code Authority appear good as a result of the time extension. The total approximated 9,100 yesterday.

Takes Spotty As Cold Stays In Key Cities

Grosses were spotty last week in eight key cities, with only the big pictures demonstrating an ability to overcome the effects of biting winter weather.

In Chicago and Minneapolis and St. Paul, top grosses went to "Carolina"; in Buffalo it was "Fashion Follies of 1934," helped by a stage show headed by Arthur Tracy; in Philadelphia "Eight Girls In a Boat," helped by Edmund Lowe took the big money; in Denver it was "Hips, Hips, Hooray," and in Montreal "Queen Christina" was the big noise.

Cold hit Cleveland so hard that only one attraction, "The Cat and the Fiddle," at Loew's State exceeded par.

(Continued on page 12)

Board Setups Believed Fair In Pittsburgh

PITTSBURGH, Feb. 26.—Showmen here seem to feel that once the code boards begin to function, it will be the best thing in the world for the industry, particularly in this territory where violations of practices now taboo have been rampant of late.

The general opinion, among independents and circuits alike, is that the setup is entirely fair, that it gives the big and little boys alike equal representation and that it constitutes a generally level-headed board of authority. There have been a few minor complaints, however, but these are chiefly from individuals who have always been professional fault finders.

Pittsburgh district has consistently

(Continued on page 3)

Who? What? When?

Sixth instalment in a biographical series on the men who make up the code boards.

NEW HAVEN, Feb. 26.—NAT FURST, representing affiliated national distributors on the New Haven grievance board, started business as an errand boy for the Greater New York Film Co. in Union Square in New York. The company, the forerunner of Fox, was controlled by William Fox and with it, as well as the company which grew out of it Furst remained for 21 years. Toward the end of his association there, he was a special representative with the United States his field. Furst then joined Warners as a salesman here to remain four years and to resign to join Pathe as a branch manager in New Haven. When RKO purchased

(Continued on page 10)

PORTLAND, ORE., Feb. 26.—CHARLES F. POWERS, representing affiliated national distributors on the Portland grievance board, is the youngest manager in Fox. After selling for various mercantile concerns in San Francisco, he entered the company's employ in that city as an assistant booker on July 14, 1924. On Sept. 12, 1925, he was made a salesman. When Fox determined to open an exchange in Portland on Jan. 26, 1929, Powers was promoted to its managership due to his fine record further down the coast in San Francisco. He is 36 years old, plus a couple of weeks.

HOWARD MAPES, representing un-

(Continued on page 10)

Boards Named In Five More Large Cities

Authority Delays Making List Public, However

Local grievance and clearance and zoning boards for Albany, Atlanta, Chicago, Milwaukee and San Francisco were completed yesterday when agreements on the personnel of the 10 boards for these five cities were reached at a meeting of Code Authority. Only five more cities remain to be manned. These are Boston, Cleveland, New York, Philadelphia and Washington.

It is expected remaining boards will be completed within the next few days, with the possible exception of New York.

Disclosure of the names on 10 boards completed yesterday was delayed by Code Authority until today due to lateness of the hour at which yesterday's meeting was concluded.

(Continued on page 3)

Radio Shows Set for Discussion Thursday

The Code Authority committee designated to discuss unfair radio competition will meet Thursday with a committee appointed by the legitimate theatre Code Authority to agree on uniform complaints and proposals to be brought before the radio industry. Following this meeting, the film and stage committees will meet with a radio Code Authority committee at Washington on March 5 to work out a relief plan.

Ed Kuykendall, Charles L. O'Reilly and Sidney R. Kent comprise the committee for the film Code Authority. That of the stage is comprised of Marcus Heiman, William C. Elliott and Frank Gillmore.

T. W. Sharp Sells Out; Off Code Board, Too

MEMPHIS, Feb. 26.—T. W. Sharp is reported to have sold the New, Prospect and Little Roxy at Little Rock, Ark., to M. Brady of Cape

(Continued on page 3)

Film Deliveries Not Delayed by Blizzard

Little difficulty was experienced by branch managers and film delivery services over the week-end and yesterday in meeting deliveries of prints

(Continued on page 2)

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Film Deliveries Not Delayed by Blizzard

(*Continued from page* 1)

out of New York. Conditions on Long Island and Upper New York State were such that minor delays were caused, but these were soon overcome. In some exchanges, extra men were taken on to speed up deliveries to various railroad terminals.

When queried by MOTION PICTURE DAILY, Harry Buxbaum of Fox, Moe Streimer of United Artists, Leo Abrams of Universal, Robert Wolff of RKO, William Scully of M-G-M and Myron Sattler of Paramount, local sales executives, said they had had no serious difficulties up to late afternoon in getting out prints. All felt that, because of the continued snowfall, conditions would be worse today and that delays, if any, would be directly traceable to the railroads, not film delivery systems.

Gillham Returns

Robert F. Gillham, director of advertising and publicity for Paramount, returned from Florida and Nassau yesterday and deferred an immediate departure for Hollywood. He goes west later.

Kathryn Daugherty Hurt

HOLLYWOOD, Feb. 26. — Kathryn Daugherty, editor of *Photoplay*, was recovering today from slight injuries suffered when her car overturned in a collision yesterday.

"Wonder Bar" Opening

"Wonder Bar" opens tomorrow night at the Strand.

The Pay-Off

TWO ranking executives bring stories east from Hollywood. Both of them have to do with a new and hitherto undetected spirit of cooperation prevailing at the studios. Adolph Zukor and Jack Cohn, separately and by deduction individually arrived at, draw this conclusion and it happens to be identical.

Both are not certain that the code is responsible. Maybe, yes, and maybe, no. It does not matter much so long as their observations are what they are.

Listen to Zukor:

"There is much more interest in what's going on elsewhere in the business. There is much less of the insular and more of the national in Hollywood's point of view."

And Cohn:

"They don't look out of the window any more in Hollywood when you talk about grosses, what they are and what they ought to be. They are beginning to listen to what the sales department has to say, and that, I say, is a helluva good sign."

▼

IT may be a passing fancy. It could even be the well known Hollywood business of oiling New York when the east gets troublesome on costs and bad pictures. All that and considerably more have been known to happen. Frankly, we don't know the low-down what with 3,000 miles and too much snow between the speculative here and factual there.

We are certain, however, that the theory is sound and that much more attention to New York on Hollywood's part would be a fine something for this business. The coast has been rollicking along on the premise that New York is screwy; that making pictures is some sort of a mystical secret known to an elect handful and no more; that it's easy to talk about how it ought to be done and at what price, but vastly different to do it.

Hollywood for years has been getting away with the practice of closing the door on a picture as soon as it is shipped to headquarters and turning attention to the next one on hand. New York, in turn, and salesmen on hundreds of firing lines, have been given pictures to sell that they know shouldn't have been made, but are; and often at a negative cost that elementary accountancy tells it is impossible to retrieve.

There is much more to this business than the geographical limitations of Hollywood. That goes for the area around Times Square as well. The picture business is in between both coastal extremities, but nobody pays much attention to that.

▼

BECAUSE its selection of Los Angeles as the seat of its 14th convention makes it possible for the people who make pictures to see the people who buy and sell them, the M.P.T.O.A. has taken a wise and potentially significant step. A lot is to be said on both sides and now comes an opportunity to spill it.

If we had anything at all to do

(*Continued on page* 11)

Universal Pfd. Drops 6 on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	24½	23½	23½	—1½	300
Consolidated Film Industries	4⅜	4⅛	4⅛	— ¼	400
Consolidated Film Industries, pfd	16	15½	15⅝	— ⅛	1,000
Eastman Kodak	89½	88¼	89	+ ¾	600
Fox Film "A"	14½	14	14¼	— ⅝	2,100
Loew's, Inc.	31¼	30⅛	30⅝	+ ⅛	23,400
Loew's, Inc., pfd	90	90	90	.....	100
M-G-M, pfd.	22½	22½	22½	—1½	100
Paramount, cts.	4⅞	4⅛	4⅛	— ½	12,200
Pathe Exchange	3	2⅞	2⅞	— ⅛	5,400
Pathe Exchange "A"	16⅞	16¼	16⅞	— ⅛	2,600
RKO	3¼	3⅛	3¼	— ⅛	1,900
Universal Pictures, pfd	26	26	26	—6	4,000
Warner Bros.	6⅞	6½	6¾	— ⅛	8,100

Trans Lux Off ¼ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	9½	9¼	9½	+ ⅛	800
Trans Lux	2¼	2¼	2¼	— ¼	600

Warner Bonds Lose 1 Point

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	9	8⅝	8⅝	— ⅜	16
General Theatre Equipment 6s '40, ctf	7¾	6¾	7¾	—1	2
Keith B. F. 6s '46	62	62	62	— ⅜	1
Loew's 6s '41, ww deb rights	95½	93	94	—2	9
Paramount Broadway 5½s '51	36½	35⅛	35⅛	—2¾	1
Paramount F. L. 6s '47	45½	44⅝	44⅝	— ⅜	7
Paramount Publix 5½s '50	45	43½	43½	— ¾	59
Pathe 7s '37, ww	93	93	93	.....	1
Warner Bros. 6s '39, wd	53	51⅝	52	—1	65

Shifts Are Made in U. A. Foreign Forc

Arthur W. Kelly, vice-president United Artists in charge of foreig distribution, has made several shif in the foreign field. Walter Goul former general manager in Lat America, has been named division manager with supervision of all Ce tral and South American countri He is on his way to Havana for complete tour of his new territory.

Edward Ugast, for the past ye and a half manager in the Philippin has been named assistant to Tom Mi rooney, foreign sales manager, a hereafter will make his headquarte in New York. Ugast has been st ceeded in Manila by Charles H. Go who is going into the film busine for the first time, although he h been an importer and exporter for years.

Earl Kramer has resigned as ge eral manager in Japan and is on l way to this country to settle the est of his father, who died recently. S ney Albright, formerly with U. A. China, has succeeded Kramer Tokyo.

Subsidiary in Foreig Field Formed by U. A

WILMINGTON, Feb. 26.—The uni Artists Continental Corp. has b chartered here. It is capitalized 200 shares of no par value. Inc porators are C. S. Peabbles, L. Herman and Walter Lenz, all of t city.

Arthur W. Kelly, vice-president charge of foreign distribution United Artists, said yesterday that United Artists Continental Corp. intended to be "an unimportant s sidiary" in the foreign field.

Caravan Reaches K. C

KANSAS CITY, Feb. 26.—Des zero temperatures here a crowd m bed the Union Station for the arr of the "Moulin Rouge" caravan fi St. Louis for a two-day stay. party was greeted by a civic recep committee, including former Ma Bryce Smith. This was followed broadcasts from the Muelbach and pearances at Loew's Midland.

DuWorld Gets Comed

World distribution of a serie feature comedies starring Jimmy S and produced by Screen-Art Pro tions has been acquired by DuW Pictures, Inc. The films will turned out one a month. Dr. Eu Frenke is directing.

Kahane West This W

B. B. Kahane, president of R Studios, will return to Hollywoo the end of the week following annual meeting of the RKO boa directors, which will be held e tomorrow or Thursday.

Cochran Coming Ov

LONDON, Feb. 26.—Charles B. C ran, noted revue producer and identified with Fox, plans a tri the States following the stagin two new plays.

Butler, Lloyd Re-Sign

HOLLYWOOD, Feb. 26.—Fox given new contracts to David B and Frank Lloyd, directors.

oards Named n Five More Large Cities

(*Continued from page* 1)

e session was called to order early the afternoon by Ed Kuykendall, irman for the day, and continued into the evening. Most of the after- n was occupied with discussions on sonnel of local boards contained in report of the committee on selec- ns, and by the time the completed rds had been cleared there was enough time remaining to compile l selections, it was explained.

he meeting also spent considerable e on selection of successors to ts on local boards which were com- ed earlier, but have been vacated e by either resignations or the dis- lification of the appointees. Among se are Ben Kalmenson, appointed representative of national affiliated tributors on the Pittsburgh griev- e board. Kalmenson was Warner nch manager at Pittsburgh and s disqualified for the code board t by his subsequent transfer to the atre department. Another is John iott of Lexington, Ky., appointed ffiliated exhibitor representative on Cincinnati grievance board. El- t is reported to have declined the t. Several other instances of this d have developed, Code Authority orted.

he meeting also received a report m Division Administrator Sol A. senblatt, who attended yesterday's eting, on impartial, non-industry pointees to boards already com- ted. These, too, are scheduled to released today.

he committee on finance submitted first report on a budget and plan financing Code Authority costs. e report was said to be incomplete d further work is scheduled for to- y when the finance committee will et again. The committee on man- l, which is drafting rules of pro- lure for local boards, likewise sub- tted an incomplete report. This mmittee will also resume its work day.

A committee designated to report prospective changes in labor pro- ions of the vaudeville and stage esentation sections handed in a re- rt which will be acted upon by senblatt after study.

Formal regulations governing the per cent cancellation provisions of e code were discussed by Code Au- ority yesterday for the first time. esults of this discussion, likewise, ll not be disclosed until today.

Next meeting of Code Authority as set for March 12. W. Ray John- on will act as chairman.

. W. Sharp Sells Out; Off Code Board, Too

(*Continued from page* 1)

rardeau, Mo., thereby eliminating mself from the business and mak- g him ineligible for appointment to e Memphis clearance and zoning ard as one of the two unaffiliated hibitors representing subsequent ns.

This would mean, further, that arp would be compelled to resign president of the recently-formed T.O. of Arkansas.

Board Setups Believed Fair In Pittsburgh

(*Continued from page* 1)

been a hot bed for battles between circuits and independents and grievances have become more pointed than ever since the adoption of the code. It's almost generally agreed that unless some steps are taken immediately, there'll be enough complaints before the grievance board by the time that group begins to function to keep it busy for years.

Although grievance and clearance and zoning boards have been appointed, none of the individuals here have yet been notified officially and there has been no effort thus far at any sort of organization. What the delay is nobody seems to know but to date, there have been no meetings, no concentrated effort to get together and no issues settled.

In the meantime, the grievances have been piling up. Circuit men claim that they have been abiding by the letter of the code while the independents have been finding ways to circumvent it. Independents lay the same charges at the door of the circuits and unless some immediate action is taken, the boards are going to have a difficult time on their hands reconciling the different factions.

All this, of course, has little to do with the feeling about the board setups except that it is an indication of what authorities will have to contend with once they begin to function. It is agreed, however, that it'll require a herculean effort on all sides to get the code working as it was meant to.

Personnel of the Pittsburgh boards follows:

Grievance

BEN KALMENSON, representing affiliated national distributors. He was branch manager for Warners. Charles Rich, successor.

BERT M. STEARN, representing unaffiliated distributors. Branch manager for United Artists.

MIKE J. CULLEN, representing affiliated exhibitors. City manager for Loew.

DR. C. E. HERMAN, representing unaffiliated exhibitors. Operates tbeatres in Carnegie, Pa.

Clearance and Zoning

JOHN J. MALONEY, representing affiliated national distributors. Branch manager for M-G-M.

JAMES ALEXANDER, representing unaffiliated distributors. Owns Alexander Film Service, distributes Monogram.

HARRY M. KALMINE, representing affiliated first runs. Zone manager for Warners.

FRANK HARRIS, representing unaffiliated first runs. President of Harris Amusement Co.

ALEX S. MOORE, representing unaffiliated subsequent runs. Operates neighborbood theatres bere.

JOSEPH WEISS, representing unaffiliated subsequent runs. Operates theatres in McKeesport.

Impression current in Pittsburgh that code appointees will receive word of their designation from Code Authority is faulty. MOTION PICTURE DAILY has pointed out several times, and does again today, that boards will learn of their personnel from trade papers only. Code Authority has not sent, and will not send out any other notifications.

Joy Contact on Code

HOLLYWOOD, Feb. 26.—Among Colonel Jason Joy's other duties at Fox he will act as studio contact man on code matters.

Film Salaries Made Public in U. S. Quiz

(*Continued from page* 1)

$92,000 and other compensation of $270,202 and in 1932 received a salary of $87,725 and other compensation of $133,328.

Other figures showed Winfield Sheehan to have received $129,747 in 1929 and $269,747 in 1932; Jack Leo, $37,640 in 1928 and $516,000 in 1930; Robert Cochrane, $35,000 in 1929 and $26,000 in 1932; Carl Laemmle, $132,000 in 1929 and $156,000 in 1932; Adolph Zukor, $372,389 in 1928 and $96,031 in 1932; Sam Katz, $297,911 in 1928 and $78,392 in 1932; Emanuel Cohen, $173,142 in 1932.

Salaries last year included: Arthur M. Loew, $155,500; Louis B. Mayer, $84,500; Irving Thalberg, $135,200; J. Robert Rubin $57,460; Felix F. Feist, $55,125; A. C. Thomas, $130,000; Harry Cohn, $145,600; Sidney R. Kent, $60,060; Nicholas M. Schenck, $33,800; Laemmle, $146,000; Harold B. Franklin, $60,420; B. B. Kahane, $46,858; Sheehan, $250,000.

Compensation to executives by some of the companies was reported as follows:

M-G-M: 1928, cash salaries, $719,400, other compensation $1,060,848; 1932, salaries $757,393, otber compensation $922,141.

Loew's: 1928, cash salaries $442,000, other compensation $296,161; 1932, salaries $526,317, other compensation $218,724.

Warners: 1928, cash salaries $998,119; other compensation $8,805; 1932, salaries $758,623, other compensation $121,920.

Fox: 1928, cash salaries $135,500, other compensation $70; 1932, salaries $626,967, other compensation $2,850.

Paramount: 1928, cash salaries $990,630, other compensation $930,410; 1932, salaries $636,975, other compensation $95,000.

RKO: 1928, cash salaries $262,709, other compensation $1,200; 1932, salaries $315,043, other compensation $6,160.

Columbia: 1928, cash salaries $218,000; 1932, $298,883; no other compensation.

Universal: 1928, cash salaries $327,030, other compensation $660; 1932, salaries $302,535; no other compensation.

No Ushers' Strike For Next Few Days

No general strike order of ushers and cleaners who are members of Local 118, Building Service Employes Union, is likely within the next few days, Charles C. Levey, secretary-treasurer of the union, said last night as members of the organization gathered at Palm Garden to ballot on a strike proposal.

Levey said that it would require several days to count the ballots and additional time for the executive committee of the union to issue a strike order, even if one were approved by the members and believed to be necessary.

A meeting of representatives of the union and New York circuit executives at the NRA Regional Labor Board here, which was scheduled for yesterday, was postponed until tomorrow. Recognition of the union, denied by the circuits two weeks ago, is scheduled for discussion at the meeting.

Local 118 filed charges against RKO with the Regional Labor Board yesterday for alleged intimidation of employes who had joined or sought to join the union. Complaints are also being drafted against Springer & Cocalis, which, the union charges, is organizing a company union of ushers to compete with Local 118.

Round Table Studio Talks, MPTOA's Aim

(*Continued from page* 1)

time giving them an opportunity to tell film-makers some of their own problems in merchandising the product to the American public.

Other major purposes of the convention so far developed include a discussion of the code. Four angles of this are to be taken up separately as follows: (a) Local grievance and zoning boards; (b) trade practice provisions; (c) labor provisions; (d) discussions of how the code can be improved.

Other subjects set for the program are: Improved methods of theatre operation; organized efforts to increase interest and attendance; cooperation with local and national public groups interested in films; competition with other amusements such as radio, dancing, carnivals and amusement parks; protection through organization against unfair and discriminatory taxes on theatres and admissions, censorship and drastic regulatory legislation; double features; restraints on cut-throat competition; construction, remodeling and equipment; labor troubles; public relations programs for local exhibitors.

Speakers for the various programs are being lined up at present. The general layout of the program so far is to have business sessions in the morning, followed by trips to studios afternoons, and with evenings devoted to social gatherings.

Arrangements have been completed for special low-rate fares, claimed to be the cheapest ever secured. Two special trains are already set. One will leave Chicago Monday, April 6, and the other will leave New Orleans the same day, both arriving in Los Angeles on April 9, so the delegates can get settled at the Ambassador the day before the start of the convention.

One of the special inducements for the trip is an arrangement so that delegates can return on any railroad they choose, or by boat, if they prefer.

MPTO Unaffected by New ITO: Lightman

MEMPHIS, Feb. 26.—Membership in M. P. T. O. of Arkansas, Mississippi and Tennessee has not been affected by formation of the new I. T. O. of Arkansas, according to M. A. Lightman, tri-state M. P. T. O. president.

"We have received more checks for dues in recent months than we had in several years," Lightman said. "A majority of the new Arkansas organization are retaining their membership in M. P. T. O. and many of them are paying their dues."

Lightman said that he will call a board meeting within the next three weeks to make plans for the next tri-state convention, which will probably be held just before or just after the national convention in Hollywood April 10.

Rosenblatt to Capital

Division Administrator Sol A. Rosenblatt returns to Washington today following attendance at the Code Authority meeting yesterday.

BECAUSE **BOOKS** MAKE THE BEST

STORY BUYS FOR PICTURES

WARNER BROS. HAVE CORNERED THE BEST-SELLER MARKET!

Best-seller sales help *your* ticket sales. Their *nation-wide* reputation benefits every showman in the country—not just a few key-city houses. That's why Warners have concentrated on famous fiction vehicles. That's why we've captured most of the best best-sellers for our 1934 program! . . . These 9 great titles include the outstanding sensations of the literary world. Buy Warner—and get the benefit of the hundreds of dollars worth of free publicity that has been given them in your town.





"As The Earth Turns" with Jean Muir*

Leslie Howard in "British Agent"°

"Oil For The Lamps Of China"*

Edward G. Robinson in "Napoleon"°

Barthelmess in "A Modern Hero"°

Powell in "Dragon Murder Case"*

Edw. G. Robinson in "Dark Hazard"°

Barthelmess in "Massacre"°

And "Anthony Adverse"*

*A Warner Bros. Picture
°A First National Picture
Vitagraph, Inc., Distributors

ARE YOU THROWIN



Oh, no, of course YOU are not throw
ing a bluff! . . . But millions of other
are these days — or would like to, i
they dared! . . . And here's the pictur
aimed straight at the bluff thrower
—and at their admirers and enviers
which includes just about everybody
. . . Another one of those Universc
"new idea" pictures that are buildin
so much good will—and GOOD BUSI
NESS — for exhibitors everywhere



LET'S BE

A BLUFF?



EW AYRES
with
ATRICIA ELLIS, in
RITZY

With Frank McHugh, Isabel Jewell. Produced by Carl Laemmle, Jr., from a stage play by William Anthony McGuire. Directed by Edward Ludwig. Presented by Carl Laemmle. Another good one from **UNIVERSAL**

Motion Picture Daily's Hollywood Previews

"The House of Rothschild"

(20th Century-United Artists)

Hollywood, Feb. 26.—Handsomely produced, "The House of Rothschild" is supercharged with entertainment and electric with showmanship. Its subject matter will stir controversy, which will add box-office momentum.

Tracing the rise of the Rothschilds from the grime of the Ghetto to eminence in the councils of nations, Producer Darryl Zanuck has evidenced canny sagacity by keynoting a parade of personalities and a panorama of world events by striking always the human note.

Opening in Frankfort, Germany, in 1780, Mayer Rothschild (George Arliss), a coin collector, with a wife and five sons, is segregated in what is called Jew Street. Persecuted by the populace, harassed by tax collectors, prohibited by decree from entering reputable trades or professions, Arliss turns to money lending.

On his death bed, sensitive to his family and race, he urges his sons to serve with dignity and honor always, engaging only in the pursuits of peace. Each son goes to a different country, establishing a branch of the house, acting together, however, with Nathan (Arliss) in England as the head.

Advance knowledge of Napoleon's defeat elevates Rothschild to real financial power. The Allies propose to rehabilitate France by a loan bid for by the bankers. Rothschild, the lowest bidder, loses on a technicality advanced by the German Count Ledrantz, that he is a Jew.

Cut by this treatment, Arliss determines to secure a share of the loan by market strategy, and effects terms which include unshackling the Ghetto chains from his people. Dramatically, Napoleon strikes again, and while England trembles, many selling her short, Rothschild buys and buys, and when a carrier pigeon brings the news of Napoleon's Waterloo, and confidence is restored, a grateful nation confers regal honors upon him.

Arliss' consummate artistry makes this easily his best performance. The skillful direction of Al Werker, the throb, thrill and magnitude of the story, the romance of Rothschild's daughter, Loretta Young, with Captain Fitzroy, establish this as the outstanding production of some time. It should be a sensation at the box-office.

"The Show Off"

(M-G-M)

Hollywood, Feb. 26.—Presentation of the talking version of the stage play, "The Show Off," spots Spencer Tracy and Madge Evans in leading roles of a vehicle that appeared behind the footlights about seven years ago. Performed in the big cities and road-showed to the hinter lands, the stage piece was a big success.

The film concerns a blatant, good-natured fellow, J. Aubrey Piper. As the smart alec, under-dog clerk who dreams of an empire, who assumes big shot, big dough tactics, rides in demonstration automobiles, whose raucous laughter irritates everyone, particularly his in-laws; who showers inordinate attention on his young wife and who finally is deflated, but who stumbles into good luck, Tracy gives a substantial, full-blown performance, and molds a portrait of the type that has vitality and color.

As a production entity, however, the film is confined more to dialogue than to action, and more to characterization than to plot. It is breezy entertainment with bright moments, spasmodically spaced.

Besides Tracy, Clara Blandick gives a neat performance.

Showmanship will have to be applied for sales impact on customers by stressing the human note and by emphasizing Tracy's box-office draw, along with the value of the title.

"David Harum"

(Fox)

Hollywood, Feb. 26.—In homespun entertainment, packed with neighborly drama, Will Rogers in "David Harum" regaled a Loew's State audience here with laughter running from titters to howls. New England's contribution to dramatic folk lore of America is born again, via the personality of today's Mark Twain in the title role as an authentic Yankee, fabric-woven for heart throbs and gaiety.

Sincere native atmosphere dominates the action and dialogue. Rogers' character study, contrasting drama, romance, rural shrewdness, excitement, family interest and friendly sympathy accentuates the simple, straightforward appeal of the story.

Outstanding sequences are Rogers' horse trades with Middleton, with Stepin Fetchit being thrown in each time with the horse, Rogers' sponsored romance between Evelyn Venable and Kent Taylor, tearing up Widow Sarah Padden's mortgage, preparing Christmas dinner and its celebration, and the exciting county fair-trotting classic, with topical musical accompaniment.

James Cruze's direction emphasizes humor and heart-tugging values. All of the cast maintains Rogers' pace.

Because of the typical American flavor and Rogers' visible enthusiasm for the role, showmen should find "David Harum" a combination of audience picture and showman's show. Rogers' accurate portrait is a fine blend of human and theatric essentials that should draw big patronage.

"No Greater Glory"

(Columbia)

Hollywood, Feb. 26.—Probably not since "All Quiet on the Western Front" has so powerful a production been viewed. While the former dealt with young men in actual warfare, "No Greater Glory" pictures kids about fourteen in a gang war, but none the less real. Destined to take its place among the finer film accomplishments, it should do prosperity business on the strength of its emotional impact, its timely message and dramatic embodiment of entertainment values.

The story could happen, is happening, anywhere. A teacher drums patriotism into his pupils, and then forbids their belonging to a secret society known as the Paul Street Boys. A rival gang, the Red Shirts, steals the Paul Street Boys' flag. Both gangs then organize for war on a military basis.

Preparatory action for the battle, patrols and attack are splashed with boyhood humor, pathos, loyalty, heartache, courage and tragedy.

Private Nemetsek, sick abed and just made an officer for bravery, knowing of the impending battle, steals from bed to fray. Amid a hail of missiles and slashing with a spear and sand bombs, as at Chateau Thierry with gas and bayonet, he recaptures the stolen flag and dies a hero.

The cast performances are well-nigh perfect, with palm honors going to George Breakstone (Private Nemetsek), with star citations to Jimmy Butler, Frankie Darro and Jackie Searl for the kids, and Ralph Morgan, Lois Wilson and Christian Rub for the grownups.

Frank Borzage directed with deep feeling and understanding, achieving vitality by simplicity and tenderness by heart appeal. Joe Swerling's screen play is a flawless adaptation of Ferenc Molnar's story, stirring the spirit and exciting the sympathies. Columbia rates bouquets for producing so dynamic and artistic a film. Minus marquee names, but properly sold this production will get terrific word-of-mouth exploitation.

"Heat Lightning"

(Warners)

Hollywood, Feb. 26.—Taking the Greek dramatic trilogy of unity of time, place and action, as in the "Grand Hotel" cycle, "Heat Lightning" centers around a gasoline station on the desert.

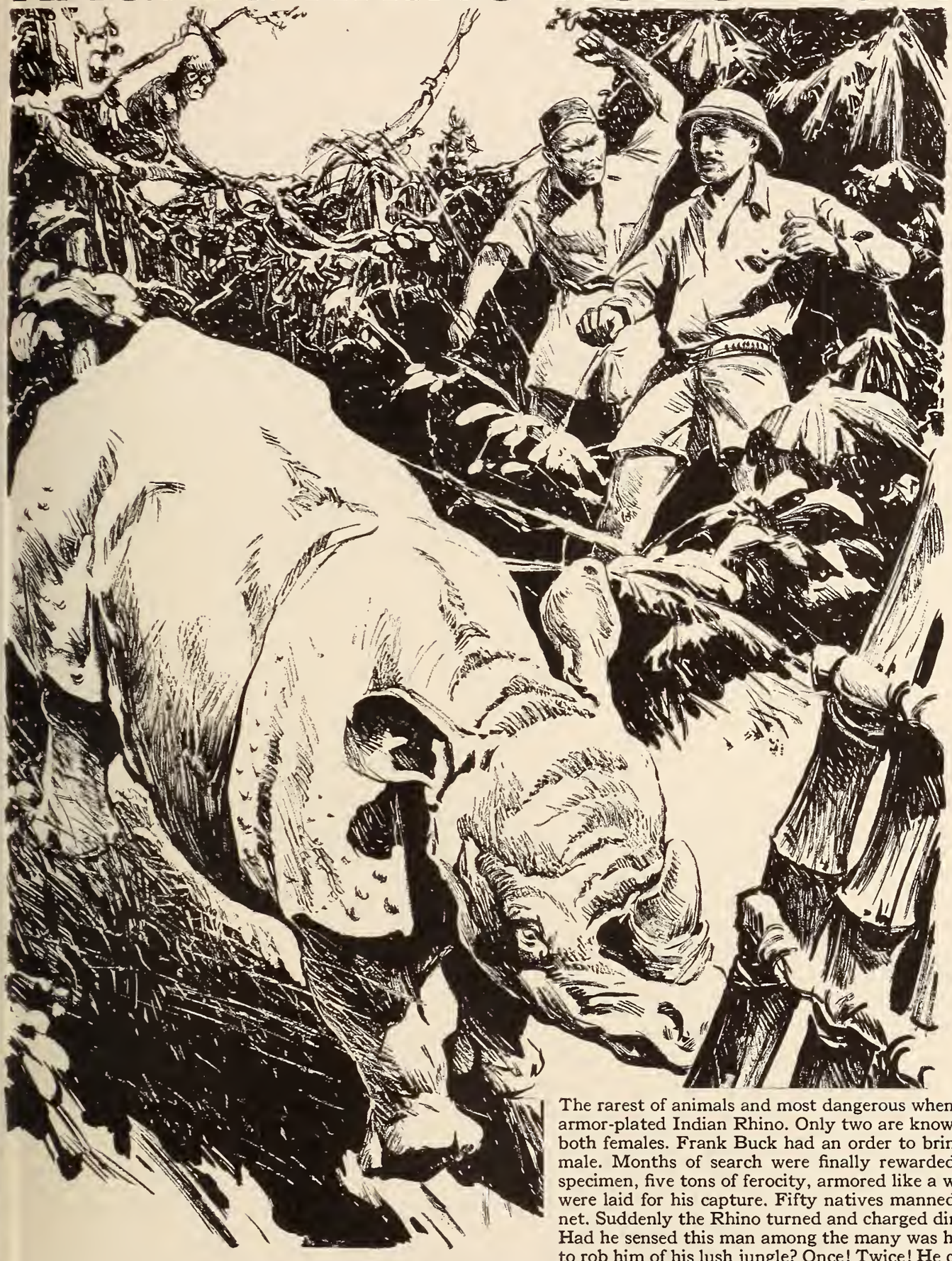
Aline McMahon, getting away from her past, runs a desert auto service spot and tourist camp. Her sister, Ann Dvorak, whom Miss McMahon protects, is her assistant. Comes there two gangsters, Preston Foster and Lyle Talbot, fleeing the law. Two Reno queens, Glenda Farrell and Ruth Donnelly also arrive, loaded with jewels, and the chauffeur, Frank McHugh. Foster, recognizing Miss McMahon as an old Oklahoma flame, tries to renew. First thwarting his advances, she finally succumbs, then bawls out Miss Dvorak, just returning from tow with a loafer. Afterwards, seeing Foster cracking a safe containing the divorcees' jewels, she shoots him.

The production holds interest by skillful handling, but the characters seldom grip sympathies, although cast well and perform well.

Mervyn LeRoy's direction is commendable, but the plot, contrasting conflict with comedy, inspires little affection for its people. Technically it is well constructed, but the story seldom pierces the emotions for full value entertainment.

(Additional Reviews on page 12)

RAGING RHINO RUNS RIOT!



The rarest of animals and most dangerous when aroused is the armor-plated Indian Rhino. Only two are known to captivity, both females. Frank Buck had an order to bring back alive a male. Months of search were finally rewarded with a noble specimen, five tons of ferocity, armored like a war tank. Plans were laid for his capture. Fifty natives manned the steel-wire net. Suddenly the Rhino turned and charged directly at Buck! Had he sensed this man among the many was his enemy come to rob him of his lush jungle? Once! Twice! He charged! Death on the prong of that single brute horn! A moment's pause and Buck beckoned the boys to fall behind in a half circle, then he stationed himself, a living target for the thunderous charge. Nature always saves her biggest thrills for him and you'll see them all in

FRANK BUCK'S "WILD CARGO"

Van Beuren Production . . . . . RKO Radio Picture

Directed by Armand Denis

COMING SOON!

There's no time for "stills" in a world of thrills, so this drawing, one of a series of scenes from "Wild Cargo", was sketched from an actual "frame" of the film by the famous artist J. Clinton Shepherd.

Who? What? When?

New Haven

(Continued from page 1)

Pathe, Furst was made manager of the two offices. That brings him down to two years ago when he joined Warners in his present capacity. Furst, thus, has been in business 30 years and all of it in the film industry.

I. H. Rogovin, representing unaffiliated distributors on grievances, entered the industry as a salesman for Independent Films, Inc. of Boston in October, 1923. This concern was owned by Abe Montague and Joe McConville, the present sales heads of Columbia. Rogovin's association continued until July, 1929, when Independents' franchise for Columbia in New England was taken over by the company as part of its nationalization of exchanges. He then became a salesman for Columbia in Boston. In June 26, 1933, he was appointed manager of the New Haven exchange, his current post. Code Authority listed him as *E. Rogovin.*

George Cruzen, representing affiliated exhibitors on grievances, is the managing operator of the Paramount theatres here. He was formerly Connecticut district manager for Publix. When the subsidiary corporation operating Connecticut theatres went into receivership about a year ago, Cruzen continued in the same capacity for M. and P. Theatre Corp., a new operating company organized by the receivers to take over the houses.

The M in the company is Marty Mullin, long a Publix divisional manager and the P is Samuel Pinanski. The company operates the 1,997 seat Allyn in Hartford; the 2,373 seat Paramount in New Haven; the 1,756 Capitol and the 1,094 seat Crown in New London; and the 1,576 Empress and the 1,092 Regent in Norwalk.

J. B. Fishman, representing unaffiliated exhibitors on grievance, is a chemist by profession. He was educated at Yale and received a doctor of philosophy degree in 1920. He entered films in 1925 as an exhibitor in partnership with his brothers and is now secretary-treasurer of Fishman Theatres, Inc., which operate the Community, an 870 seat theatre in Fairfield, and the following in New Haven: Howard (1,170 seats), Dixwell (750), Lawrence (710) and Lyric (430). At the minute, Fishman is engaged in biological chemistry research at the Yale Medical School. He does this in his spare time, for chemistry, not theatres, is his hobby. He is president for a second term of the M. P. T. O. of Connecticut, which is not affiliated with any national exhibitor organization.

Al M. Kane, representing affiliated national distributors on clearance and zoning, is branch manager here for Paramount, a post which he has occupied since December, 1932. Born in Boston on Feb. 16, 1900, Kane graduated Brighton High School, the Bentley School of Accounting and Finance and the Suffolk Law School. His first job was in the accounting department of the Boston and Albany Railroad; he held it for five years, after which he enlisted in the army. Upon his discharge in 1919, he resumed his old position, working nights as he studied accounting during the daylight hours. After completion of his studies, he joined the Florida East Coast Co. as comptroller and held that post for two years and a half. In April, 1925, he joined Paramount in Boston as assistant booker, as chief accountant, booking manager, salesman and sales manager. He has been a member of Paramount's "100 Per Cent Club" on three different occasions.

Morris Joseph, representing unaffiliated distributors on clearance and zoning, was a silk manufacturer in Paterson, N. J. and also a buyer of silks for the Standard Mail Order Co., of New York prior to his entry into the film business. He was born in Prussia on Oct. 23, 1879. In 1915, he took a salesman's job with Universal at its "Big U" exchange in New York. After six months, he was named manager in Springfield. He held that post for nine months, then being transferred to New Haven as branch manager. In 1923, he was transferred to Cleveland and then Kansas City. In 1924, he was returned to New Haven where he has been in charge of the "U" office for the last 10 years.

Israel J. Hoffman, representing affiliated first runs on clearance and zoning, was born and raised on local terrain where he was educated and graduated the Yale Law School. In 1911, he passed the Connecticut bar examinations and with his brother, Bernhardt, opened law offices here. He conducted a successful practice prior to entering the theatre business in 1914 when he acquired and operated the Palestine in Ansonia. Believing exhibition offered a greater field, he determined to abandon law and, concentrating on theatres, acquired the Tremont in the same town as well as the Sterling in Derby. Soon after he built the Capitol in Derby and ran it on a vaudeville-picture policy featuring important stage names who attracted attention for the Capitol far beyond its normal radius in drawing power. Expansion then followed. Israel and Bernhardt began to acquire more houses and formed the Hoffman circuit totalling 20. In 1929 when the Warners were buying theatres up and down the land, the Hoffman string was among others acquired.

Arthur H. Lockwood, representing unaffiliated first runs on clearance and zoning, is an attorney and a member of the New York bar. He entered show business in 1922 with the Nate Gordon interests, operating as Olympia Theatres, Inc. and successively managed the Olympia, New Haven, now the Paramount; the Olympia, New Bedford; the Central Square, Cambridge, Mass., and others. He also spent one year in the circuit's buying and booking department. Lockwood resigned at the end of 1924 to acquire a half interest in the Bristol, Princess and Palace in Bristol and shortly thereafter formed the Colonial Theatre Realty Co. of which he is secretary and treasurer. In 1926, he bought the Circle, South Manchester and later sold it to the Hoffman Brothers. He also operated the Rialto, Torrington and sold it to the Warners in August, 1930. From 1926 to 1930, Lockwood was president of the M. P. T. O. of Connecticut and has continued as a member. In June of last year, he acquired a half interest in the 1,400 seat Middlesex, the 1,350 seat Capitol and the 1,200 seat Palace, all in Middletown. The corporation operating these houses is Middletown Enterprises, Inc., of which Lockwood is secretary and treasurer.

Adolph G. Johnson, representing unaffiliated subsequent runs on clearance and zoning, served three years on the New Haven Building Lines Commission, three years on the New Haven Traffic Commission, four years on the New Haven City Hall Building Commission which planned and built the first municipal unit known as the Hall of Records at a cost of $750,000. Johnson is a Republican and has four years in his public record as a city alderman. It was on Sept. 1, 1926 that he entered the theatre industry to which he has devoted all of his time since and currently operates the Garden here and the Strand, Hamden, Conn. The former house is operated under the name of the 700 seat Garden Theatre Co. of which Johnson is sole owner. The Strand operates as the Johnson and Robbins Corp. of which Johnson is president. He served on the Connecticut arbitration board in conjunction with the New Haven Film Board for three years, has been first vice-president of the Connecticut M. P. T. O. for two years and a member of the Board for the last four years. While the state unit was still a member of the national M. P. T. O. A., Johnson, together with Edward G. Levy and Jack Fishman, made up a Connecticut committee which met with M. A. Lightman, then national president, and distributor lawyers in an effort to have the 5-5-5 contract adopted. He was also member of an exhibitor committee which fought exclusive selling in this territory by M-G-M and Fox and thinks that committee's activities did considerable to break down the plan in this section. The state unit today has no national affiliation, but veers toward Allied. "At the present," declares Johnson, "I am personally against the stand Allied has taken in reference to the code as I believe the industry had better get together and regulate and work out its own salvation rather than have some outside interest step in and dictate our future."

Martin H. Keleher, second exhibitor representing unaffiliated subsequent runs on clearance and zoning, got under way in the business in 1908 as operator of the Torrington (Conn.) Opera House, where he remained until 1914. Then he went to work as a salesman for World Film out of Boston, became associated with Louis B. Mayer who, at the time, owned the New England franchise for Metro. When Mayer dropped his early association with the company in whose name he today supplies the final M, Keleher also quit to join Nathan Gordon who had the New England franchise for First National, and continued as branch manager for that company in Connecticut for the next dozen years. In 1921, he took over the Princess, Hartford, with Israel J. Hoffman. Two years later, he became part owner of the 1,489 seat Strand, Hartford and was identified with the operation of both houses until the Hoffman Brothers sold their circuit to Warners. Keleher has been operator of the 788 seat Princess, Hartford for the past two years. Code Authority listed his name as *Kelleher.*

Portland

(Continued from page 1)

affiliated distributors on grievances, operates the Star Film Exchange here as well as a preview room along Film Row.

J. J. Parker, representing affiliated exhibitors on grievances, is president of Parker's Portland Theatres operating the 1,800 seat Broadway and the 962 seat United Artists Theatres. He has been identified with the business here for the last 20 years in this territory, having successfully managed a number of first runs here, in Astoria and in Vancouver, Wash. During his first years in the business he was located at the old Majestic, under Jensen and Von Herberg, later operating the Majestic and People's under his own name. Parker is regarded as one of the stable theatre executives of the city and, in addition, has considerable outside interests. His ability to pick and hold loyal employees is viewed as having meant much in his success in the theatre business. He is 48 years old and married.

Guy Matthews, representing unaffiliated exhibitors on grievances, hails from The Dalles where his theatre is the Granada, capacity 725. He is a member of Allied Theatres of Oregon.

Louis Amacher, representing affiliated national distributors on clearance and zoning, entered pictures in 1909 as a film inspector and shipping clerk for the Laemmle Film Service here. He was 15 at the time. From 1910 to 1912, he was a booker for Amalgamated Film Exchange which later became General Film in this territory. While working on that job he opened a small suburban theatre a which he maintained a projectionists school at $35 a head. From '12 to '15 Amacher was booker for Film Supply Co., here and in Seattle. This concern later became Universal. His current affiliation with M-G-M a local branch manager was not his first with the company, for in 1915-1 Amacher was office manager for Metro in Seattle.

It was about this time that he became interested in a state right concern known as Schlaeffer Attraction with which he was connected until h enlisted in the army. Following hi discharge came a salesman's post wit World and an office managers' jo with Goldwyn. Then it was Associated Producers as Seattle manage in 1921, F. B. Warner Corp., Wi Gunning, Inc. and American Releasing successively—all in Seattl Amacher in 1923 took over manage ment of the John Danz circuit bu didn't take to the theatre busines quitting to join Goldwyn-Cosmopol tan as salesman. Six months later l was appointed Portland manager ar has been with Goldwyn, Metro-Gol wyn and M-G-M in charge here co tinuously since that time.

James C. Beale, representing u affiliated distributors on clearance a zoning, started with Columbia as salesman on July 15, 1929, and becar a branch manager on May 12, 193 Earlier experience embraced Path Universal, Tiffany and a salesmar job with Greater Features in 192 Beale is now Columbia's manag here.

Al Finkelstein, representing af liated first runs on clearance and zo

(Continued on page 11)

New Federation to Get Union Charter

(Continued from page 1)

gone over to the new organization while retaining their memberships in the A.B.A., and this makes them eligible for labor union membership. The officers of the federation are: Eddie Cantor, honorary president; Fred Keating, president; Joe Laurie, Jr., first vice-president; Victor Moore, second vice-president; Pat Rooney, third vice-president; Guy Magley, fourth vice-president; Charles Mosconi, treasurer; Whitehead, secretary. Whitehead will continue as executive secretary for the A.B.A.

The A.F.A. labor charter will cover the following fields: Vaudeville, film presentation houses, clubs, cabarets, circuses, carnivals, fairs, tabloids, music halls and restaurants. This does not conflict with Equity, according to Whitehead, as the Equity charter takes in the legitimate theatre and film fields.

Mrs. Crisp Testifies Foreign Talent Vital

WASHINGTON, Feb. 26.—Declaring the industry is international in scope with the American producing companies practicaly controlling the finest pictures, Mrs. Irene C. Crisp, appearing for the Hays organization, today told the members of the House Immigration Committee that our preeminent position cannot be maintained abroad without foreign talent.

Mrs. Crisp appeared in opposition to the bill of Representative Dickstein of New York.

Who? What? When?

(Continued from page 10)

ing, has always been a theatre operator in this part of the U. S. A. As a partner of Al Rosenberg, who is representing affiliated exhibitors on the Seattle grievance board, he ran his own theatres until Fox West Coast purchased Pacific Northwest Theatres, Inc. and merged them with the California company. He and Rosenberg are now prominent in the conduct of Evergreen State Theatres, a group of approximately 26 houses in various Washington and Oregon cities. Included in his company's Oregon holdings, in which FWC retains a finger although in bankruptcy, are the McDonald (1,200 seats) and Rex (850) in Eugene; Holly (1,200) in Medford; and the Liberty (1,837), Hollywood (1,491) and Paramount (3,400) in Portland. In Washington, Evergreen has the American (1,200 seats) and Mt. Baker (1,740) in Bellingham; Rialto (1,000) and Rex (350) in Bremerton; Balboa (730), Everett (1,200) and Granada (1,000) in Everett; Liberty (700) in Olympia; 5th Ave. (2,420), Coliseum (2,000), Egyptian (1,000), Neptune (1,000), Orpheum (3,000) and Paramount (3,000) in Seattle; Fox (3,800), Orpheum (1,200) and State (1,000) in Spokane; Castle (1,200) in Vancouver, Wash.; and Liberty (750) and Rialto (660) in Wenatchee.

ANDREW SASSO, representing unaffiliated first runs on clearance and zoning, is the manager of Hamrick's Music Box and a member of Allied of the Northwest.

GEORGE JACKSON, representing unaffiliated subsequent runs on clearance and zoning, is general manager of Woodlaw Theatres. He is 48, but old in experience in the business. A veteran exchangeman, his service dates back to 1916 and the days of Mutual in Minneapolis. The following year he was transferred to Portland to open up a branch. Then came a break for Army service and, following the armistice, a salesman's job for Vitagraph. In 1921, the branch was closed and Jackson was named general manager with headquarters in Seattle with supervision over four states. He later was associated for seven years with Universal as manager, spending the bulk of the time in Portland. Leaving in 1929, he became general manager for D. T. Woodlaw, when the Woodlaw circuit was formed. It includes the Circle (650 seats) and Columbia (828).

Jackson is a member of Allied Theatres of Oregon.

WILLIAM CUTTS, second exhibitor representing unaffiliated subsequent runs on clearance and zoning, is the operator of the Kenton here, capacity 843, and an official of Allied Theatres of Oregon in the affairs of which he has long been prominent.

Allied Theatres of Oregon is not affiliated with any national exhibitor organization.

The Pay-Off

(Continued from page 2)

with this forthcoming April event, we would insist upon a cards-on-the-table program, no soft-soaping and plenty of burn in what is said and done.

Hollywood deserves and ought to get plenty of hell for forgetting the mileage between its hills and the banks of the Hudson. The men who run theatres haven't done such a good job, many of them. They deserve no escape.

Once they get a load of effort that goes into making pictures and the money judiciously spent, although a lot of it is not, they may carry home the idea of getting out and selling shows instead of sitting on their rear ends waiting for the customers to part with their two-bit pieces. KANN

Schenck in New Club

HOLLYWOOD, Feb. 26.—Joseph M. Schenck, who for several years has been president of the Caliente Jockey Club and one of the backers of the resort at Agua Caliente, is reported also to be one of the heavy stockholders in the proposed Los Angeles Turf Club.

Warners Hold Blanke

HOLLYWOOD, Feb. 26.—Henry Blanke, Warner supervisor, has had his option exercised by the studio.

NICKELODEON to SUPER DELUXE

From the days of the Nickelodeon to the Super De Luxe Movie Palace, General Registers have been standard equipment for the progressive theatre. Designed by foremost engineers . . . manufactured by skilled technicians . . . installed by expert mechanics . . . they are synonymous with motion picture theatre progress.

AUTOMATIC and SIMPLEX TICKET REGISTERS

for 20 years—General Registers have been protecting box office receipts.

General Register Corporation

1018 S. WABASH AVE. CHICAGO, ILL.

1540 Broadway New York

80 BOYLSTON STREET BOSTON, MASS.

1726 SO. VERMONT AVE. LOS ANGELES, CAL.

307 NO. 13th STREET PHILADELPHIA, PA.

CASH CONTROL GRC SYSTEMS

Takes Spotty As Cold Stays In Key Cities

(*Continued from page* 1)

The take was $12,500. "Lost Patrol," with Singin' Sam heading a stage show at the RKO Palace, had a weak $15,000. Others which suffered were "I Like It that Way," "Dark Hazard," "King of Wild Horses" and a dual consisting of "You Can't Buy Everything" and "Murder on the Campus."

"Eight Girls in a Boat" with Edmund Lowe on the stage did the only big business in Philadelphia. The take at the Earle was $16,500. "Dark Hazard" did an average $7,000 at the Stanton and "Moulin Rouge" held up to $7,000 in its second week at the Aldine. "All Of Me," "I Believed In You," "Madame Spy," "Sensation Hunters" and "Eskimo" dragged along.

"Hips, Hips, Hooray" stirred up the only box-office hoopla in Denver with a take of $13,000, up by $3,000, at the Orpheum. Dorothy Lee headed a stage show. "Six of a Kind" was also strong at $6,500 at the Denham and "Queen Christina" took a par $7,500 at the Denver. "The Right to Romance" and "Cross Country Cruise" reached average money at the Aladdin and the Paramount.

Chicago went for "Carolina" in a big way, giving it a $38,000 gross at the B. & K. Chicago. "Queen Christina" was still up to $11,000 in its third week at the Oriental and "Nana" was good for $9,000 also in its third week at the United Artists.

Birmingham Row Stirs Recall Move

BIRMINGHAM, Feb. 26.—Petitions asking recall of the City Commission were circulated by the Citizens' Anti-Consumers' Sales Tax Committee, after the governing body for the third time had declared the protested ordinance would be passed Feb. 27. The sales ordinance, levying one cent on gross sales, was decided upon by the City Commission as the solution of the city's anticipated shortage of more than $800,000. Theatres are included in the tax.

Sterling on Film Errand

HOLLYWOOD, Feb. 26.—J. J. Sterling, mayor of Benton Harbor, Mich., one of the eight persons found dead in the wreck of a United Air Lines plane on the Wasatch Mountains east of Salt Lake City was here the other day obtaining a deposition from Kenneth L. Fitzpatrick of Fitzpatrick & McElroy, former theatre operators in Michigan and Indiana, concerning litigation over an insurance policy issued to Blair McElroy, late partner of Fitzpatrick.

Frank Clemente Here

Frank L. Clemente, president of Latin-American Pictures, Inc., has arrived in town from the coast and is stopping at the Times Square. Accompanied by Edward H. Gruiz, secretary and treasurer of the company, Clemente will return to the coast on the completion of his business.

Looking 'Em Over

"Journal of a Crime"

(*First National*)

If this title conveys the impression that this is another mystery story, it will be misleading. The film is a delicately handled psychological study of the emotions of a woman who is determined above all to hold her husband—and does.

Most of the drama lies in the suspense developed by months of waiting to see whether she will break down and confess the murder of her rival, or whether she will pierce the emotional barrier set up when her husband discovers she has destroyed the woman with whom he has been infatuated.

Once her outward calm cracks and she goes to see a prisoner charged with shooting a bank cashier as well as the woman she had killed. He tells her to keep silent, as he is to die anyway. On the day of his execution she faints. Her husband taunts her with the statement that she should have expected this, but he enters in his diary that he no longer hates her. Again she decides to confess, but on her way to the police she is struck by a truck while trying to save the life of a child.

Her memory is gone when she recovers and her husband devotes himself to reconstructing the shattered framework of their happiness.

It's a woman's story deftly directed by William Keighley. Ruth Chatterton handles the sombre development of her role with restraint and distinction and Adolphe Menjou gives a fine performance as the husband whose emotional shock is slowly transformed from active hate to unselfish devotion. George Barbier, as manager of the show, in which both Menjou and the murdered woman, Claire Dodd, appear, has the only other role that makes any important impression.

There is some incidental music, but practically no comedy. The story sticks closely to its central theme. Its appeal is to adult women. How strongly adolescents or men will go for it remains to be seen.

"Orient Express"

(*Fox*)

Good performances, colorful atmosphere and a plot replete with action combine to make "Orient Express" a production of considerable popular appeal. While the story follows the pattern made familiar by "Grand Hotel" and other films in which a group of characters are thrown into relation with one another, it has enough interest and vividness of incident and characterization to let one forget that it follows in the path laid down by "Shanghai Express."

All the people important to the plot are passengers aboard a train bound from Ostend to Istanbul. They are a variety of types—a dancer who is broke, a Communist leader with death always near, a cockney, a murderous thief, a newspaperwoman, a young businessman of wealth, and several others. The dancer (Heather Angel) falls in love with the business lad (Norman Foster) and comes close to death when she is arrested in the Balkans with the Communist (Ralph Morgan) in the belief she is his accomplice. Though her sentence is set at a day in jail she escapes with the Communist, who faced death before the firing squad in the morning. She is found by Foster, who started a search when he found her missing from the train. Ironically enough, the thief (Roy d'Arcy) falls before the firing squad when the Communist's wallet, containing a passport made out under an English name, is found in his possession.

Other players are Herbert Mundin, Una O'Connor, Irene Ware and Dorothy Burgess. Credit for direction goes to Paul Martin.

"Palooka," today's opener at the Rivoli, was reviewed from Hollywood by wire on Jan. 23.

"Wonder Bar," tomorrow's opener at the Strand, was reviewed on Feb. 17.

Jay Means Talking Suit in K. C. Fight

(*Continued from page* 1)

ability of legal steps against Loew's Midland, Publix Newman and major distributors serving them in order to force them to raise their scales.

The suit may be filed in Federal Court, according to Means, on a charge of monopoly, unfair competition and conspiracy in restraint of trade.

Means said that for the time being suburbans will leave admission prices and policies as is, but he and probably others will cut scales this week. He said the issue would come to a head when code boards are set up and exhibitors will force a showdown under the code.

The Newman is taking the price war into the neighborhoods through newspaper advertising and the distribution of 50,000 heralds. The house did an S.R.O. business over the weekend.

Earl Gulick Promoted

Earl Gulick, long identified with General Outdoor Advertising, has been named a vice-president of Outdoor Advertising, Inc.

Spot News from Columbia



CRITICS RAVE over Clark GABLE Claudette COLBERT Together for the First Time in "It Happened One Night" with Walter Connolly · Roscoe Korns

From the Cosmopolitan Magazine Story by Samuel Hopkins Adams

Screen play by ROBERT RISKIN

"GABLE AND COLBERT WERE NEVER BETTER—" —SCREEN PLAY MAGAZINE

"DON'T LET ANYTHING KEEP YOU AWAY—" —MODERN SCREEN

"GAY ENTERTAINMENT FOR ANYBODY—" —PHOTOPLAY MAGAZINE

"A SWELL ALL AROUND PERFECT PICTURE—" —SILVER SCREEN MAGAZINE

"IF YOU MISS IT—DON'T BLAME US!" —MOTION PICTURE MAGAZINE

"SUPERLATIVE ENTERTAINMENT, SHEER ENJOYMENT!" —SCREENLAND

"SNAPPY, HUMOROUS AND HUMAN—" —SCREEN BOOK MAGAZINE

A FRANK CAPRA Production

Directed by the man who made "LADY FOR A DAY"



The screen's greatest actor! Broadway's greatest comedy! The stage's foremost writers! JOHN BARRYMORE in "20th Century," with Carole Lombard — by Ben Hecht and Charles MacArthur. A Howard Hawks production.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

OL. 35. NO. 48 NEW YORK, WEDNESDAY, FEBRUARY 28, 1934 TEN CENTS

Majors Will Resist 10% Ruling from Rosenblatt

ode Changes By President Are Forecast

ohnson Outlines Plan At Washington Meet

ASHINGTON, Feb. 27.—Changes of es by Presidential order where icism and experience have demon- ated they need change was prom- l today by Administrator Hugh Johnson at the opening session of e critics here.

hanges will be followed by another npaign for the Blue Eagle and cter enforcement, he indicated.

hough General Johnson called it field day for criticism," critics did actually get a chance to talk to- . Most of the program was taken by the administrator's speech in ich he outlined the following 12- nt program.

1. A more uniform and equit- ble rule of price stabilization

(*Continued on page 8*)

oast Picking Up; 37 Features Going

OLLYWOOD, Feb. 27.—Production wed a sharp increase last week r the previous week with a total of features and 11 shorts in work as inst a score of 33 and 13 for the ceding week. This is the first week e the Christmas holidays that pro- tion has been close to the yearly mal weekly average of 40 and 15. Varner-First National studio, as in preceding week, remained in the l with a total of eight features in

(*Continued on page 6*)

oxy Says 25-Week Tour Is About Set

Declaring no contracts as yet had n signed but expressing his con- nce that all details were set, Roxy l yesterday his presentation house r will run 25 weeks at $10,000 per ek in theatres controlled by Publix, ew, Warners and perhaps a few O houses as well.

"Why should I keep myself in a

(*Continued on page 6*)

ational Screen Net Goes Up to $107,010

National Screen Service Corp. re- ts a profit of $107,010.75 for the r ending Dec. 31, 1933. This com- es with a net of $95,556.47 for 1932.

The Key to the Boards

How to identify official appointments to code boards:

Grievance Boards

1. **Representative national distributor, affiliated.**
2. **Representative distributor, unaffiliated.**
3. **Exhibitor, affiliated.**
4. **Exhibitor, unaffiliated.**

Clearance and Zoning Boards

1. **Representative national distributor, affiliated.**
2. **Representative distributor, unaffiliated.**
3. **First run exhibitor, affiliated.**
4. **First run exhibitor, unaffiliated.**
5. **Subsequent run exhibitors, unaffiliated.**

10 New Boards, Total 52; More Impartial Men Named

Code Authority yesterday made public 10 grievance and clearance and zoning boards to sit in Albany, Atlanta, Chicago, Cleveland and Milwaukee, thereby increasing the total to date to 52.

At the same time, impartial members were named for Buffalo, Denver, Pittsburgh, Portland and Salt Lake City. In Charlotte, C. W. Craver of that city was named representative of unaffiliated subsequent runs replacing W. H. Hendricks of Reidville, N. C.

Personnel of the 10 new boards follows:

Albany

Grievance

1. R. C. Halligan, RKO
2. Charles Johnson, Columbia.
3. Lou Lazar, Warner Theatres.
4. Abe Stone, Albany.

Impartial Member — Shepard Z. Baum, Albany attorney.

Clearance and Zoning

1. Ralph Pielow, M-G-M.

(*Continued on page 6*)

Product Cuts Coming, Says Felix Feist

CHICAGO, Feb. 27.—Product curtailment is in the air, declared Felix Feist, general sales manager for M-G-M, on his way east from the coast today. He said that the trend is toward cutting down the number of pictures and extending runs, but how soon this will be brought about depends on conditions.

Shorts next season will be principally in color, he declared.

M-G-M will deliver all 48 of the

(*Continued on page 8*)

Film Leaders Join Move to Aid M.P. Club

Through the efforts of Will H. Hays and Louis Nizer some of the leading figures in the industry have been interested in the rehabilitation of the M. P. Club and a new lease of life is expected for the organization.

New directors who have consented to serve are: Adolph Zukor, Jules E. Brulatour, Jack Cohn, Hays, Carl Laemmle, Sr., Al Lichtman and Herbert J. Yates.

Details of the proposed new setup

(*Continued on page 6*)

Decide to Fight on All Pacts Made Prior To Dec. 7.

Warners, Paramount, Fox, RKO and M-G-M indicated at Monday's meeting of Code Authority that they would not accept Division Administrator Sol A. Rosenblatt's ruling that the 10 per cent cancellation provision of the code would apply on product released after Dec. 7, even though contracts were made prior to that date, it was learned yesterday. Indications are that these companies will not voluntarily authorize cancellations on any contracts made prior to Dec. 7.

The expressions of disagreement did not in any manner constitute an action of the Code Authority, but were purely expressions of individual company opinion given by representatives of the five companies who were in attendance at the meeting as alter-

(*Continued on page 8*)

Business Picking Up, Says Lichtman

CHICAGO, Feb. 27.—Business is picking up satisfactorily, asserted Al Lichtman, vice-president in charge of domestic distribution for U. A., here today between trains on his trip to New York from the coast. U. A. has four more to go on its current list of 18.

U. A. is placing great hopes on "House of Rothschild," which he previewed on the coast, Lichtman said. It opens at the Astor, New York, March 14.

Lichtman said he would make a tour of middle west exchanges following his return to New York.

Report Balaban May Get Detroit Houses

DETROIT, Feb. 27.—Reports grew in insistence today that Publix theatres here, now being operated for Para-

(*Continued on page 6*)

Who? What? When?

Seventh instalment of the biographies of the men who make up the code boards appears on page 4 today.

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Subscription rates per year: $6 in tbe Americas, except Canada $15 and foreign $12. Single copies: 10 cents.

Denies Deal to Plug Coca-Cola in Films

Warners denied yesterday the assertion made in a printed bulletin said to be anonymously circulated among the newspapers of the country that the company had entered into an agreement to plug Coca-Cola in its films for a monetary consideration.

The company explained that it had entered into a deal with the Coca-Cola Corp. granting it the privilege "to use the likenesses and names of the stars employed by us in its advertising."

"It is not our intention or policy to incorporate advertising in our productions," the denial added.

Mert A. Wilber Dead

RICHMOND, Feb. 27.—Mert A. Wilber, for 27 years connected with the Colonial, Lyric and National here at various times, is dead at his home here. He is survived by his widow, and a sister, Mrs. Nora Hackett of Andover, N. Y.

RKO Executives Back

Cresson E. Smith, western and southern sales manager; Al Mertz, short subject sales manager, and A. A. Schubart, head of the contract department of RKO, are back from sales conferences held at Chicago and Memphis.

$3,000 for Fund

DETROIT, Feb. 27.—A final audit of expenses versus income of the Variety Club party here Saturday night shows the club's treasury has been bulwarked by $3,000. It will swell the welfare fund.

Insiders' Outlook

AUDIO PROD., Erpi subsidiary, making shorts that stress advances in sound recording via music, probably will release through Educational. . . . Much, very much, interest in the salary-bonus inside turned loose by the Federal Trade Commission. . . . Nick Schenck is burrowing into the production situation at M-G-M. He's an ace hand at straightening out troubled waters and making quiet waters quieter. . . .

▼

Theatre business has been sent galley west by the weather. . . . If it isn't one thing, it's another. And yet, down Miami-way, receipts are a la boom times. Streets are so crowded, it's tough finding room for the pedal extremities so they go to theatres. . . . Remembering, or having heard of, Metro's unfortunate experience with "The Prizefighter and the Lady," United Artists sidestepped the fight pitfall by a broad play on the love angle in "Palooka" with Jimmy Durante as the 1934 Don Juan. . . .

▼

Why did M. H. Aylesworth refuse to serve as a director of the about-to-be-revived Motion Picture Club? An interesting yarn behind that. . . . Paramount executives are holding another meeting with theatre partners, this time in Florida. Nothing wrong with their selection. . . . The Association of M. P. Producers—Hays' organization in west—already is turning entertainment wheels for the M. P. T. O. A. convention, slated for Los Angeles April 10-12. Jack Lewis, long an assistant to Joe Breen, is torch bearer in charge of preliminary arrangements. . . .

▼

Under the head of "Are Producers Lacking in Staging Foresight," and the sub-head of "Tabloid Bills Alienating Many," H. E. Cherrington, dramatic editor of the *Columbus Dispatch,* says:

"From the type of stage show which has lately been playing local theatres it would seem that the movie chains are going burlesque. Fan dancers, strip acts, blue jokes—they are all appurtenances of the burlesque house, which have their followings. However, that following is not in a family picture house. We have heard enough complaints to show us that the money that is attracted is not good money. That is to say, this kind of thing is not building for the theatre's future. It is, in fact, alienating many patrons, and perhaps alienating them for good."

▼

The Criterion may house "No Greater Glory" which Vic Shapiro caught in Hollywood the other night and raved about by wire in MOTION PICTURE DAILY yesterday. Columbia is figuring on a two-a-day run here for it. The Nanking government has refused Metro permission to shoot scenes for "The Good Earth" in China. . . .

KANN

Farnol Sailing Today

Lynn Farnol, publicity man for Samuel Goldwyn, sails on the *Manhattan* today for London in connection with the British premier of "Nana." He will be gone 12 weeks, the latter half a holiday.

Laemmle Buys Story

HOLLYWOOD, Feb. 27.—One of Carl Laemmle, Jr.'s first acts upon returning to the coast was to purchase "Weather Permitting," an original by Ferdinand Schumann-Heink. Kurt Neumann is slated to direct.

Stocks on Big Board Gain

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	24	24	24	+ ½	100
Consolidated Film Industries	4½	4⅜	4⅜	.....	1,300
Consolidated Film Industries, pfd	16	15⅝	16	+ ⅜	600
Eastman Kodak	90	89¼	90	+1	900
Fox Film "A"	14¾	14½	14½	+ ¼	1,000
Loew's, Inc.	32	30⅞	31⅜	+ ¾	20,300
Paramount, cts.	4¼	4⅛	4⅜	+ ¼	12,300
Pathe Exchange	3⅛	2¾	3⅛	+ ¼	3,200
Pathe Exchange "A"	17⅛	16¾	17⅛	+ ¾	2,700
RKO	3½	3⅛	3⅜	+ ⅛	5,100
Warner Bros.	7	6⅝	6⅞	+ ⅛	6,500

Trans Lux Up ⅛ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	9¼	9¼	9¼	— ¼	100
Trans Lux	2⅜	2⅜	2⅜	+ ⅛	100

Bond Market in Sharp Rise

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	93⅝	85⅝	93⅝	+ ¾	4
General Theatre Equipment 6s '40, ctf	83¼	71¼	83¼	+1	10
Keith B. F. 6s '46	62⅜	62¼	62¼	+ ¼	10
Loew's 6s '41, ww deb rights	95⅝	94⅜	95½	+1½	34
Paramount Broadway 5½s '51	36½	36½	36½	+1⅜	1
Paramount F. L. 6s '47	45½	44¾	45½	+ ⅞	10
Paramount Publix 5½s '50	46	44¾	46	+1⅜	3
Warner Bros. 6s '39, wd	53½	52	53½	+1½	16

Academy Plans New Consistency Award

HOLLYWOOD, Feb. 27.—For the firs time the Academy proposes to ma special awards for the best consiste work throughout the year. One awar will go to each major studio, with th studio to be the deciding factor i making nominations for eligibles.

Its revived research work has bee divided into nine sections with a chai man of a sub-committee in charge each as follows: Establishment of a effective uniform practice in re length (1,700 feet), J. M. Nickolaus revision of standard release print, J. Twining; improvement of relea print quality, L. E. Clark; establis ment of uniform screen illumination studio projection rooms, Nathan L. inson; development of a silent car era, Virgil Miller; development more efficient use of the 35 mm. fil area, Douglas Shearer; correction distortion in projection, John Liva ery; study of economics in recordin E. H. Hansen; investigation of fil preservatives, C. Roy Hunter.

Extras Present Mor Terms Under Cod

HOLLYWOOD, Feb. 27.—The lo grievance board has voted against tention in the code of the provision quiring that women extras be int viewed by women on the ground it an insult to female players and thro a bad light on studios. Also c manded are regulations regarding ti extras spend for fittings, lunch a interviews.

A quarter day's pay for fittings sought unless a job lasts two days longer. Other terms are a minim of a half hour for meals, overtime one hour for each four hours work and pay at a pro rata scale for int views requiring more than one hou

Court Drops $69,500 Claims Against Par

Individual claims aggregating $3 000 filed against Paramount Pub by 12 holders of Paramount Bro way bonds, and seven Allied Own Corp. claims for $36,500 were d allowed and expunged yesterday Referee Henry K. Davis when claimants failed to appear at a heari on objections to the claims brou by Paramount trustees.

Referee Davis also approved a tition making the Paramount trust and Paramount Publix parties to sale of a story property of Paramo Productions to RKO for $15,000. T story is "The Dover Road," by A. Milne, and the transaction inclu sale of the copyright on "The Li Adventuress," a silent film made 1927 from the book.

Para. Partners End Fla. Confab Tod

JACKSONVILLE, Fla., Feb. 27.—F amount theatre operating partners c clude a conference here tomorr attended by theatre affiliates of company throughout the Southeas

Here from the home office are Ra A. Kohn, Y. Frank Freeman and S Dembow, Jr. Also attending are J. Sparks, Robert Wilby, H. F. K cey, Hunter Perry, M. C. Talley, B. Garner, Carl R. Bamford, Will K. Jenkins, Arthur Lucas and E. Crall.

VARIETY DAILY CALLS IT HIS BEST

—and that's putting it

mildly!

"Ideally suited for the title role, **Will Rogers gives one of his best character impersonations** in this latest Fox film, a human interest story that **should prove a b.o. smash.** A hilarious comedy that cannot help but score heavily **with any type of audience.** It drew **howls of glee from last night's preview audience."**

—VARIETY, Daily



Will ROGERS

DAVID HARUM

LOUISE DRESSER · EVELYN VENABLE
KENT TAYLOR · STEPIN FETCHIT

From Edward Noyes Westcott's novel. Directed by James Cruze

Produced by Winfield Sheehan

FOX

Who? What? When?

Seventh instalment in a biographical series on the men who make up the code boards.

CHARLOTTE, Feb. 27. — FRANK BRYAN, representing affiliated national distributors on the Charlotte grievance board, was native-born. On May 5, 1892, to be exact about it. He clerked for the Southern Railway, years and years ago and broke into pictures in 1908 by doing miscellaneous jobs around nickelodeons, later graduating into an operator. He cranked a machine until 1914 when he joined the Greater New York Film Rental Co. as office helper, shipper, inspector and eventually as manager. In 1915, the office closed and the changing scene then took Bryan to Atlanta as salesman for World Film, then V. L. S. E., Fox and Vitagraph. In 1917 he became manager for Vitagraph in New Orleans and in Atlanta the following year. It was in 1920 that Bryan determined to shift to Richmond where he became manager for First National. Then to Charlotte until 1930 when Warners took over First National.

H. H. EVERETT, representing unaffiliated distributors on grievances, is manager of Arthur C. Bromberg Attractions which owns the Monogram franchise in the Southeast. Everett has been stationed here for about 10 years and in the industry 15.

H. F. KINCEY, representing affiliated exhibitors on grievances, is a theatre operating partner for Paramount in this territory. With Robert Wilby, he organized the Wilby-Kincey Circuit throughout North and South Carolina years back. The circuit was affiliated for a time with the former Southern Enterprises, headed by S. A. Lynch, who is now in charge of the Paramount theatre reorganization for units in bankruptcy. With the acquisition by Paramount of Southern Enterprises in 1926, the Wilby-Kincey circuit also became a Publix affiliate. Kincey continued as division manager for the theatre operations here, and following the Paramount bankruptcy became an operating partner under a deal made with the trustees in bankruptcy for Paramount.

His operating company is known as North Carolina Theatres, Inc., with headquarters in Charlotte. In point of numerical strength and buying power, it is the outstanding circuit in the territory and totals 52 houses, ranging from the 2,400 seat Carolina in Greensboro where Montgomery Hill is district manager to 300 seaters like the State in Greenville and the Imperial at Lenoir. Its points of operation are Burlington (two houses), Chapel Hill (one), Charlotte (two), Concord (one), Durham (four), Fayetteville (two), Goldsboro (two), Greensboro (four), Greenville (one), Hendersonville (one), High Point (four), Lenoir (two), Raleigh (three), Rocky Mount (two), Salisbury (three), Wilson (two) and Winston Salem three). North Carolina Theatres skip geographical boundaries by operating in these South Carolina towns as well: Anderson (one house), Columbia (four), Greenville (two), Spartansburg (three) and Sumter (one).

Kincey is a director of Theatre Owners of North and South Carolina, Inc., an affiliate of the M. P. T. O. A.

CHARLES W. PICQUET, representing unaffiliated exhibitors on grievances, is president of Theatre Owners of North and South Carolina, Inc., an affiliate of the national M. P. T. O. A. He has been active in small town theatre operation in the Carolinas and operates the 800 seat Carolina at Southern Pines and the 1,000 seat theatre of the same name at Pinehurst. A $1 top admission at Picquet's Pinehurst house was common doings before the depression. Some of the leading social lights of America were among those who attended his picture shows in the heyday at the exclusive Southern resort.

PAUL ROUSSEAU, impartial member on grievances, is not only secretary of the Charlotte Merchants' Ass'n. but manager of the Merchants' Credit Bureau as well.

IRA FURMAN, representing affiliated national distributors on clearance and zoning, includes on his service record a post with the old Goldwyn Co. in Pittsburgh. Promotion came to him on Feb. 27, 925, when he was named office manager of the Metro-Goldwyn office in Smoky City. On Sept. 5, 1927, he was given the M-G-M branch here. It's still his.

ROBERT J. INGRAM, representing unaffiliated distributors on clearance and zoning, is manager for Columbia which he joined on May 1, 1928. Earlier experience included jobs with Liberty Specialty Pictures and Enterprise. From 1922 to 1926, he was a branch manager for Progress Pictures. Ingram transferred here from Memphis where he was a salesman for his present employers.

MONTGOMERY HILL, representing affiliated first runs on clearance and zoning, is district manager for North Carolina Theatres, Inc., of which H. F. Kincey is the operating head, and maintains his headquarters in Greensboro, N. C. He has been identified with circuit operation in this territory for a number of years.

ALBERT SOTTILE, representing unaffiliated first runs on clearance and zoning; hails from Charleston, S. C., where he is owner and operator of the Gloria, seating 1,800; Majestic, seating 400; Garden, seating 800; and Victory, seating 900. He is a vice-president of the Theatre Owners of North and South Carolina, Inc., Code Authority erred in spelling of his name in its official list.

J. M. GREGG, representing unaffiliated subsequent runs on clearance and zoning, resides here and is general manager of Criterion Theatres, one each in Charlotte, Greenboro and Durham. The Charlotte house is a 750 seater, the Greensboro, 1,500 and the Durham, 800. Gregg is a director of the Theatre Owners of North and South Carolina, Inc. Code Authority listed his name as *Cregg*.

C. W. CRAVER, second exhibitor representing unaffiliated subsequent runs, was named to this post by Code Authority in New York today. He replaces W. H. Hendricks of Reidville, N. C., the first appointee. Charlotte film men have maintained right along that Hendricks was an unaffiliated first run, and not an unaffiliated subsequent run, his theatres being the 400-seat Broadway and the 800-seat Rockingham in his town. This may be the reason for canceling out his name and substituting Craver.

C. O. KEUSTER, impartial member on clearance and zoning, is secretary of the Charlotte Chamber of Commerce and vice-president of the Merchants' Cold Storage Commission Co., Inc., and has been prominent in local business and civic activities for years. Code Authority listed him as *Kuester*.

OKLAHOMA CITY, Feb. 27.—OTTO ROHDE, representing affiliated national distributors on the Oklahoma City grievance board, for six years, or from 1913 to 1919, was a salesman for the A. G. Spaulding Co. in Dallas. From 1919 to 1921, he was sales manager for the Lucas Theatre Supply Co. in the same city and for the next two years a salesman for Fox. The next five years found Rohde with Pathe in Dallas and New Orleans as a salesman and branch manager. In 1928, he became a branch manager for Warners in Oklahoma City. Currently he manages that company's exchange here.

SOL DAVIS, representing unaffiliated distributors on grievances, has been in the business for 25 years. He was born in Austin, Tex., where the local high school gave him his education. His film career began with General Film in Dallas; then Hallmark in San Francisco and Specialty Pictures Corp. again in Dallas. Later it was Arkansas Specialty Co. in Little Rock and Syndicate Pictures here. Today, Davis manages Syndicate Pictures and is also part owner of the exchange which distributes Monogram in this territory.

R. M. CLARK, representing affiliated exhibitors on grievances, is the general manager of the Griffith Amusement Co. and secretary of the Theatre Owners of Oklahoma. Griffith Amusement operates about 36 theatres in Oklahoma, ranging in size from the 1,250-seat Orpheum in Okmulgee to the 300-seat Folly at Duncan. The circuit is concentrated principally in small towns and embraces in its string the following in Oklahoma: Ada, two theatres; Bartlesville, three; Chandler, one; Duncan, two; Elk City, one; Enid, two; Fairfax, one; Guthrie, two; Hugo, one; Maud, one; Norman, two; Oklahoma City, one; Okmulgee, two; Seminole, two; Shawnee, three, and Stillwater, two. In Texas, the circuit includes these towns: Borger, two; Pampa, three; Panhandle, one, and Wellington, two. Clark is a member of the Theatre Owners of Oklahoma, which is not affiliated with any national exhibitor organization.

FRED B. PICKREL, representing unaffiliated exhibitors on grievances, was born in Jackson, O., on April 4, 1885, and has a high school and a college education. His amusement experience includes various jobs such as musician, publicity man and grand opera. He has also managed legitimate and stock houses, including the Forum at Wichita, Kan., from 1904 to 1913. From 1916 to 1917, Pickrel was a salesman for Pathe out of Kansas City and exchange manager for that company in Oklahoma City from 1917 to 1921. In between, he ran a small theatre in Ponca City for two years, rejoining Pathe and later again returning t Ponca City in 1923. At one time, h operated five theatres in the latte town, one in Pawhuska and als served as president of the M. P. T. C of Oklahoma for two terms. Toda Pickrel is part owner and manager c the Poncan and Murray in Ponca Cit where he makes his home. The Por can seats 1,200 and the Murray 90 Pickrel is a member of the Theatr Owners of Oklahoma.

JUDGE ALBERT C. HUNT, impartia member on grievances, is a prominer Oklahoma City attorney and form chief justice of the state Supren Court. He has no interest in the th atre industry.

RAY A. HIDGON, representing affil ated national distributors on clearan and zoning, first began in the industr as a theatre manager for one of th Glenn Dickinson theatres in Kansa Previously, he was in the bankir business for 10 years, where he w variously employed by the Union N tional Bank of Manhattan, Kan., a the Lawrence National Bank of Law rence, Kan. His rise with the Dicl inson interests was rapid and, befo he left to enter distribution via Fo was for three years general manag of that circuit. He joined Fox April 29, 1929, as a salesman out Kansas City and immediately disti guished himself as one of the cor pany's leading salesmen during th 1929-30 season. On Nov. 1, 1930, was promoted to a managership Oklahoma City, where he has be since that date. Higdon was born Feb. 1, 1900. Code Authority list his initials as *F. A.*

L. FRANK STOCKER, representin unaffiliated distributors on clearan and zoning, is manager here for C lumbia. He started with the compa as a salesman on Feb. 2, 1929, and b came a branch manager on March 1929, the following month. Stock for 10 years, was a salesman for Li erty Specialty Films.

PAT MCGEE, representing affiliat first runs on clearance and zoning, associated with Joe H. Cooper, Par mount partner operating in this ci as Standard Theatres Corp. Fo houses are involved in the affiliati here. They are the Capitol (1,2 seats), Circle (964), Ritz (756), C terion (1,619) and Victoria (80 The Cooper organization is also Paramount operating partner in N braska, Colorado, Wyoming and Ar ansas situations. The local Paramo affiliation dates back about six yea McGee is well known throughout t trade in the West and Southwe having been an executive of t Cooper organization for many yea He is a member of Theatre Own of Oklahoma.

RALPH TALBOT, representing un filiated first runs on clearance a zoning, is city manager of a Tu circuit, which includes the Majes (570 seats), Orpheum (1,400), Ria (1,250) and Ritz (2,000). He is w known in this territory where he h been a theatre operator for years a is a member of Theatre Owners Oklahoma.

M. LOWENSTEIN, representing un filiated subsequent runs on clearan and zoning, is the owner and manag of the Majestic, capacity 550. He also president of the Theatre Own of Oklahoma.

(*Continued on page 6*)

Keep Your Funny Side Up!

with this great ad campaign by Steig, world-famous caricaturist. It takes the lines off your face and puts 'em in front of your box-office!



IT'S PALOOKA at the BOX-OFFICE

Directed by
BENJAMIN STOLOFF

Presented by RELIANCE PICTURES

Produced by
EDWARD SMALL

Released thru
UNITED ARTISTS

NEW YORK—Packed Rivoli at opening yesterday despite zero weather and record snowstorm!

BOSTON — Doubles gross of previous week!

WASHINGTON— Beats previous week 30% despite blizzard!

BALTIMORE— "Heavy attendance ups sugary gross" reports Variety!

AKRON — Biggest week since house re-opened last summer!

BINGHAMTON — Smashes all records! Audiences wild with enthusiasm!

Film Leaders Join Move to Aid Club

(Continued from page 1)

will be explained tomorrow at a 1 o'clock luncheon by Hays and Nizer.

Under the proposed new setup dues will be reduced to $75 per year and all the old members will get the benefit of this cut. Those already paid up on the basis of the old $125 rate will receive credits.

A $75,000 bond issue will be retired at the rate of $6,000 per year, the same rate agreed upon in the past. In place of a fixed yearly rental of $24,000, the new deal with the landlord, 165 West 46th St. Corp., provides for payment out of the club's surplus after expenses up to $12,000 a year. In other words, there is no commitment on rent and the figure is limited to $12,000. It is figured this will permit the retirement of bonds on the basis agreed upon. There will be no new bond issues and no assessments. As a matter of fact, there never has been an assessment.

Turson, Booker, on Stand for Rembusch

Charles Turson, booker for Rembusch Enterprises' Rialto, Indianapolis, testified yesterday that he was unable to obtain anything but subsequent run pictures for that house in 1930 and was unable to get any major company pictures at all for the Colonial, Indianapolis, until an arbitration award of $1,586 obtained against the theatre by Universal had been satisfied. Turson was testifying in the Frank Rembusch anti-trust suit against major companies and the M.P.P.D.A., which is in its third week of trial before Judge Alfred M. Coxe in U. S. District Court here.

Joseph Quittner, Middletown, N. Y., exhibitor, was cross-examined yesterday by Max D. Steuer, attorney for the defendants. Quittner had been placed on the stand the day before.

Federation Decides On $10 a Reel Dues

Federation of the M. P. Industry voted yesterday to assess members $10 per negative reel plus a further small assessment on each positive reel. The revenue is expected to meet an annual budget of $50,000.

The national double feature situation was discussed at the meeting and the policy was viewed as having spread materially during the past year. Increase in double featuring is regarded by the organization as an indication of prosperity for member companies and one that forecasts paid up memberships. Cooperation with the I.M.P.P.A., Hollywood, on all independent affairs was voted by the meeting. A secretary of the organization will not be named to succeed Alec Moss, who resigned to join Paramount, for several days.

Bernhard to the Coast

Joseph Bernhard, general manager of Warner theatres, leaves today for a three-week inspection tour of coast theatres.

Set Against Broadcast

HOLLYWOOD, Feb. 27.—Producers were revealed today as adamant against the Wampas star broadcast.

Who? What? When?

(Continued from page 4)

W. P. MORAN, second exhibitor representing unaffiliated subsequent runs on clearance and zoning, is vice-president and part owner of the Southwestern Theatres, Inc., with headquarters here. Its theatres include the Midwest (500 seats), in Chickasha; the American (300) and Dunkin (1,000), in Cushing; Isis (315), in Oklahoma City; Plaza, 500), in Picher; Circle (412), Lyric (500), Main Street (580) and Plaza (600), in Tulsa, and the Cameo (410), in West Tulsa. Moran is a member of the Theatre Owners of Oklahoma. Code Authority erroneously listed his name as *Morgan*.

F. C. MOREY, impartial member of clearance and zoning, has been with the Tradesmen's National Bank of Oklahoma City since 1917 and is now a vice-president. He has no theatre affiliation or interests.

10 New Boards, Total 52; More Impartial Men Named

(Continued from page 1)

2. Nate Sauber, Universal.
3. Charles W. Koerner, RKO.
4. William Benton, Saratoga.
5. Charles Wilson, Troy; Fred Mausert, Glens Falls.

Impartial Member—Judge David Wanger, Albany.

Atlanta

Grievance

1. Dave Prince, Paramount.
2. A. C. Bromberg, Monogram.
3. Lionel H. Keane, Loew's.
4. Nat M. Williams, Thomasville, Ga.

Impartial Member—Roy Le Craw, Atlanta. He is connected with State Life Insurance Co. of Indiana.

Clearance and Zoning

1. J. H. Hamlin, M-G-M.
2. W. S. Anderson, Columbia.
3. R. B. Wilby, Paramount.
4. Oscar C. Lam, Rome.
5. Mitchell Wolfson, Miami; Willis J. Davis, Atlanta.

Impartial Member—Alvin G. Maxwell, Atlanta. He is vice-president of the Citizens' and Southern National Bank.

Chicago

Grievance

1. Charles Reagan, Paramount.
2. Irving W. Mandel, Security Pictures (Monogram).
3. James Coston, Warners.
4. Nate Wolf, Chicago.

Impartial Member—Lowell B. Mason, recommended by Chicago Chamber of Commerce.

Clearance and Zoning

1. Felix Mendelssohn, M-G-M.
2. Henry Herbel, Universal.
3. Walter Immerman, B. & K.
4. Jack Rose, Chicago.
5. Jack Miller, Chicago Exhibitors Ass'n. of Chicago; Aaron Saperstein, Allied Theatres of Chicago.

Impartial Member—Judge Hugo Friend, circuit court.

Cleveland

Grievance

1. Edwin J. Fontaine, Paramount.
2. H. C. Bissell, Columbia.
3. Nat Wolf, Warner Theatres.
4. J. D. Kalafat, Cleveland.

Impartial Member—Judge Joseph H. Ackermann.

Clearance and Zoning

1. Frank Drew, M-G-M.
2. Nat Lefton, Monogram.
3. Nat Holt, RKO Theatres.
4. John Huebner, Marion, O.
5. Martin G. Smith, Toledo; Frank Gross, Cleveland.

Impartial Member—Jerome M. Friedlander.

Milwaukee

Grievance

1. Sam Shurman, M-G-M.
2. George Ross, Columbia.
3. David E. Weshner, Warner Theatres.
4. Fred S. Meyer, president, M. P. T. O. of Wisconsin.

Impartial Member—Pierce Bitker, secretary, Milwaukee Chamber of Commerce.

Clearance and Zoning

1. R. T. Smith, Warner.
2. George L. Levine, Universal.
3. H. J. Fitzgerald, Fox Midwesco.
4. Tom Saxe, Madison.
5. William Ainsworth, Fond du Lac; George Fisher, Milwaukee.

Impartial Member—Joseph G. Rhode.

Impartial members named yesterday were:

Buffalo—Milton Guggenheimer, retired merchant, impartial member on grievances.

Dr. Peter C. Cornell on clearance and zoning.

Denver—J. Glen Donaldson, impartial member on grievances. He is attached to the office of the attorney general of the State of Colorado.

Clarence K. Gould, impartial member on clearance and zoning. He is a lumber man and identified with the First National Bank of Denver.

Pittsburgh—Aaron M. Jaffe, impartial member on grievances. He is an attorney.

Samuel J. Horvitz, impartial member on clearance and zoning.

Portland—Judge Ashby Dickson, impartial member on grievances. Bert Haney, impartial member on clearance and zoning. He is chairman of the Portland Port Commission.

Salt Lake City—Samuel C. Powell, impartial member on grievances. He is president of the Utah Bar Ass'n.

Joseph H. Rayburn, impartial member on clearance and zoning. He is assistant state director of the Civil Works Administration.

Yet to be named are Boston New, York, Philadelphia, San Francisco and Washington boards.

Coast Picking Up; 37 Features Going

(Continued from page 1)

work, one preparing and nine editing Radio followed with five, four an three; M-G-M had four, zero and 10 Paramount, four, six and three; Fo three, three and six; Universal, thre four and two; Fox, three, three an six; Century, two, one and one; Co lumbia, two, four and six, while th independent group reported a total six, eight and nine.

In the short subject field, M-G-M registered two in work, one prepa ing and three editing; Roach reporte two, three and three; Universal, on one and four; Columbia, zero, one an four; Radio, zero, two and four.

The independent shorts makers r ported a total of six, four and five.

This gradual increase during th past three weeks will in all probabi ity continue, as 31 features and 1 shorts are in the final stages of pre paration, with 49 and 20 in the fin editing stages.

Universal is returning to norm for the first time in three months wit six scheduled to start within the ne two weeks.

Pictures slated for an early startin date are: "Little Man, What Now? "The Human Side," "Alias the De con," "Affairs of a Gentleman," "Th Practical Joker" and "I Give M Love."

Russians' Theatres Fine, Muni Assert

ALBUQUERQUE, Feb. 27.—Russia theatres are among the finest in th world, declared Paul Muni here route to the coast.

Russian studios are making pro ress, he said, but the pictures w not be commercial in this country b cause their aim is cultural and arti tic, rather than box-office.

Muni is on his way to resume wo for Warners. He said he hoped return to the stage next season if could find a suitable play.

Report Balaban Ma Get Detroit House

(Continued from page 1)

mount trustees under a 10-mon agreement with George W. Trend will go to John Balaban of Chica who originally made a bid for t houses.

Trendle was in New York toda

It is viewed as improbable in N York that there will be any change the Detroit situation until George Trendle's management deal draws an end about August, if then.

Roxy Says 25-Week Tour Is About S

(Continued from page 1)

shell of pride?" he asked and th answered himself. "I can give a of youngsters work, do nothing to i pair my chances for the future, bri entertainment to thousands through the country and do well by mys at the same time. A quarter of a m lion is not to be tossed over the sho der lightly. At least, I'm not prepa to do that and I'm far from brok



Courtesy United Artists

EDITORIAL STANDARDS: To build—like the wisest of Walt Disney's justly celebrated little porkers —with *bricks*, the publisher begins with high editorial standards. They form the cornerstone of any genuine publishing structure, and therefore were laid down at the beginning as fundamental to the foundation of Quigley Publications. They are thus basically imposed upon Better Theatres. Rejected must be the sticks and the straw, because with them you can't build *Reader-Interest*, *Reader-Confidence*, *Reader-Response*, without which no journal can well serve those who use it to help build their *own* business structure.

DIRECT SERVICE: To its great family of responsive readers, Better Theatres is as warmly responsive. In its *pages* and by *mail* the theatre man's specific questions concerning the architecture, maintenance and operation of his property, are answered by *experts of integrity*.

INDUSTRY COVERAGE: This is important to reader and advertiser alike. Better Theatres' circulation (A. B. C. figures, not our own!) means *journalistic responsibility* to the broad interests of the motion picture. Better Theatres' arrival at practically every American motion picture theatre and its circulation abroad mean a *vast market* to the manufacturer of theatre goods. Mere claim of such circulation might prove a gold brick! But Better Theatres is a member of the *Audit Bureau of Circulations*, which supplies the advertiser with *facts*.

INDUSTRY PRESTIGE: With advertising so important to its structure, a publication can do no less than reach the advertiser's market *convincingly*. This Better Theatres long has done, does now, will do. High editorial standards and sincere personal service, maintaining recognized leadership, assure conviction. And the Audit Bureau of Circulations will supply *anyone* the figures on market coverage.

Better Theatres

• • •

the national journal devoted to the operation, maintenance, equipment and planning of motion picture theatres.
SPRING BUYERS' NUMBER APRIL 7

A QUIGLEY PUBLICATION, 1790 BROADWAY, NEW YORK

Majors Will Resist Ruling By Rosenblatt

(Continued from page 1)

nates. Emphasizing the unofficial character of the expressions was this formal statement issued yesterday by John C. Flinn, secretary of the Code Authority:

"Acting with the approval of the Code Authority of the motion picture industry, John C. Flinn, executive secretary, asked the legal department of the NRA its opinion as to what, if any, are rights of elimination an exhibitor has on pictures played or released after the effective date of the code, contracted for on contracts executed prior to the effective date of the code, Dec. 7."

The statement then reported that a reply had been received from Rosenblatt containing the already announced ruling by the NRA legal department holding that the cancellation privilege applied on contracts made prior to Dec. 7.

This letter from Rosenblatt was formally presented to the Code Authority for the first time on Monday, but, being merely in the nature of a reply to a request for information, called for no action from that body. Individual representatives of the five companies, however, indicated disagreement with the ruling following its reading. Of these expressions Flinn's statement of yesterday says: "Mr. Flinn is informed that some of the distributors do not agree with the NRA interpretation." The statement is taken to indicate the unofficial nature of the disagreement and to emphasize its lack of association with the Code Authority.

Attitude of Authority Members

Substantiating this view is the fact that exhibitor representatives on Code Authority, Nathan Yamins, Charles L. O'Reilly and Ed Kuykendall, were not recorded as making any statement on the NRA ruling; W. Ray Johnston, independent distributor representative, was not aligned with the non-consenters and is understood to favor the ruling, and that neither R. H. Cochrane, representative of unaffiliated distributors, nor his alternate, Jack Cohn, was present at the meeting. Queried yesterday, both Cochrane, vice-president of Universal, and Cohn, vice-president of Columbia, stated that they were not advised of the incident and had no comment to make.

Attending the meeting as representatives of affiliated producer-distributors were Charles Moskowitz, alternate for Nicholas M. Schenck of Loew's-M-G-M; Neil Agnew, alternate for George Schaefer, Paramount; Major Leslie E. Thompson, alternate for M. H. Aylesworth of RKO; John D. Clark, alternate for Sidney R. Kent of Fox, and Harold S. Bareford, alternate for H. M. Warner.

MOTION PICTURE DAILY, on Jan. 20, two days following Rosenblatt's original ruling on cancellations, exclusively reported that leading distributors would oppose its application to contracts made prior to Dec. 7 on the ground that it concerned a matter of contract which Rosenblatt was without authority to disturb. MOTION PICTURE DAILY's story of that date stated that attempts to invoke the ruling would probably bring about a court test, as legal departments of leading distribution companies pointed out at the time that no code for any other industry has been permitted to disturb existing contracts and that "if an attempt was made in this industry it would be a matter for a law court, rather than a code board, to settle."

Duals "One of Greatest Evils Of Business," Declares Feist

Chicago, Feb. 27.—One of the greatest evils of the show business is dual bills, declared Felix Feist, M-G-M sales manager, during his stopover here today eastbound for New York.

"Duals should be eliminated," he declared. "There is no such thing any more as a second show at night. The public doesn't know when to come to theatres to see a picture."

In this connection he referred to the Kansas City price war and the starting of duals at the Publix Newman. He expressed the opinion that Loew's Midland should also go to duals and thus hasten the cure of the double-billing, price-cutting epidemic in that city.

Expect Authority Budget Ready Mar. 12

A budget for Code Authority administration expenses together with a plan of assessing the industry to meet the budget may be presented at the next meeting of Code Authority, March 12, it was learned yesterday. The committee on finance, in charge of these arrangements, met yesterday and will continue with meetings throughout the next two weeks in an effort to have its plans ready for submission to Code Authority by the next meeting date.

The committee on manual, which is preparing rules of procedure for local code boards, is also expected to have its final report ready by March 12. The committee met yesterday and has scheduled several additional meetings during the next two weeks.

Meet Again Today to Pick Remaining Boards

The committee on selections for local code boards resumes meeting today in an effort to wind up selections for the 10 remaining boards for five cities at an early date. Members of the committee would make no predictions yesterday as to the time it would require to complete the remaining boards. Nathan Yamins replied that it "probably depended on how long he could hold out."

Authority Group to Attend Code Forums

John C. Flinn, executive secretary of Code Authority, and four or five members of Code Authority not yet named will leave for Washington Sunday to attend the open forums on NRA codes conducted by Administrator Hugh S. Johnson. No definite number of Code Authority members will make the trip, it was said, the number probably being limited to those who are able to get away at the time.

Allied Unit to Talk Code

MINNEAPOLIS, Feb. 27.—The code will receive considerable attention when the Minnesota-Dakota Allied unit meets at the Radisson Hotel here Wednesday. Among those expected are Abram F. Myers, counsel for the national organization; F. J. McWilliams, Wisconsin; H. M. Richey, Michigan, and Aaron Saperstein.

Code Changes by President Forecast

(Continued from page 1)

where necessary to prevent throat-cut competition, with further insurance against prices outstripping purchasing power.

2. A more effective rule to prevent sales below costs of production.

3. Uniformity in wages and hours in industries which are competitive.

4. Uniform classification of areas for the prevailing Southern wage differential.

5. Further reduction in working hours and further increase in hourly wages.

6. Protection against monopoly, oppression of small enterprise and inclusion in codes of buying regulations to protect the small fellows.

7. An improved method to obtain compliance.

8. A method for financing code administration without racketeering.

9. Elimination of inconsistent or conflicting provisions in codes.

10. Adequate labor and consumer representation in an advisory capacity on code authorities.

11. Uniform Government representation on the authorities.

12. Wider use within code groups of mechanism for settling disputes.

In defense of the NRA, General Johnson said it had put 2,750,000 men back to work and had increased the country's annual payroll by $3,000,000,000.

General Johnson described the Blue Eagle as "the first time in our history that the people as a whole were given a chance to enforce a statute enacted in their own interest by their own participation."

For chiselers this was "too terrifyingly simple," he said.

"Ninety per cent of industry is under codes," he declared. "The Blue Eagle has just begun to function. These meetings are the first move in a closing up of our ranks for a new forward movement by NRA. Chance or circumstance may stop it, but you are not going to stop it, or even make it falter."

General Johnson assured all critics at least 15 minutes during the forthcoming meetings. Nearly 200 codes are up for discussion.

9,069 Code Assents

Assents to the code numbered 9,069 yesterday.

Product Cuts Coming, Says Felix Feis

(Continued from page 1)

features promised for this seas Feist said, with four big ones d directly, including "Rip Tide" a "Viva Villa."

His recent exchange tour en ro to the coast, Feist said, had convinc him conditions were very good e of the Rockies, but not so good the west coast. He predicted that the fall of this year returns would as good as at any time in the histo of the show business. The comi fall, he predicts, will bring a gene hike in admission prices.

No particular trends in producti are evident for next season, he sa but M-G-M's list will be diversifi and a number of historical dram can be expected.

Union Set to Meet On Walkout Da

The executive committee of Lo 118, Theatre and Amusement E ployes Union, will meet behind clos doors within the next few days to a date for a general walkout of u ers and cleaners in the event a me ing with circuit representatives at NRA Regional Labor Board today sults in no agreement on recogniti of the union by the circuits, it v learned yesterday. The execut committee's contemplated action v authorized by ballot of members the local Monday night at Palm G den, where 1,576 members voted favor of a walkout and 19 oppo one.

Sharp's Little Rock Houses in New Han

MEMPHIS, Feb. 27.—Sale of T. Sharp's three houses in Little Ro reported in MOTION PICTURE DA this morning, is now officially c firmed and announced. The houses the New, Prospect and Little R and the purchasers are S. E. Bra Hardy Sanders and Joseph Wheeler, all of Cape Girardeau, The new owners take charge im diately.

Sharp's post on the Memphis cl ance and zoning board calls for a placement.

Col. Fetes Exhibitors

KANSAS CITY, Mo., Feb. 27.- group of 100 Kansas-Missouri exh tors were entertained by Columbia day at a luncheon here at w speakers included Mayor Bryce Smith, I. T. O., President Jay M and Mrs. Eleanore Walton and Holmes, city censors. Harry Tay Columbia branch manager, was to master jointly with Max Roth, dis manager.

Morris Leaves Bed

Sam E. Morris, foreign sales m ager for Warners, was dischar from the Sydenham Hospital yes day where he had been ill for sev weeks and went to his home. H scheduled to leave for Europe March 17.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

OL. 35. NO. 49 NEW YORK, THURSDAY, MARCH 1, 1934 TEN CENTS

Slash of 400 in Shorts Looked for Next Season

ig Electrics ued by Indie heatre Group

rade Restraint Charged On Sound Contracts

Suit was filed in U. S. District urt for the Southern District of w York yesterday by interests rep- enting some 60 local houses affili- d with the I. T. O. A. against A. & T., Western Electric and Erpi charges of restraint of trade. The intiffs, who are represented by the v firm of Weisman, Quinn, Allan d Splett, assert they were forced lease their sound equipment from defendants at exorbitant prices or thrown out of business under con-

(*Continued on page 2*)

uals' End Menace, Is Golden's Claim

The elimination of double features the greatest menace that could hap- n to the motion picture industry," ward Golden, Monogram sales nager, countered yesterday after ding in MOTION PICTURE DAILY Chicago interview with Felix F. ist, M-G-M sales manager, in ich duals were described as "one the greatest evils of show busi- ss."

Elimination of duals, Golden said,

(*Continued on page 6*)

xpect RKO Board To Confirm Shifts

Changes in executive personnel of ious RKO companies are expected be confirmed today when directors RKO Radio Pictures hold their erred annual meeting.

Up for what was viewed yesterday

(*Continued on page 2*)

Afraid of Fire

Kansas City, Feb. 28.—To prevent the heat in Mae West's "I'm No Angel" from starting a conflagration, Jim M. Owen, Branson, Mo., exhibitor, had the local fire department transport the print from the station to his theatre. A further precaution was taken when Owen obtained a fire insurance policy for the fire truck.

Authority to Submit Report In Washington

A report of the Code Authority will be submitted to Administrator Hugh S. Johnson Monday at the Washington meeting of code authorities of all industries, it was learned yesterday.

The report will be in the nature of a brief forecast and estimate of the workings of the film code, particularly its labor provisions. Estimates of increased employment and payrolls, effect of the trade practice provisions of the code on the industry and a report on administration of the code will be contained in the report, which is now being prepared by John C. Flinn, executive secretary of Code Authority.

Scheduled to attend the Washington meetitngs are: Sidney R. Kent, J. Robert Rubin, alternate for Nicholas M. Schenck; Ed Kuykendall, Charles L. O'Reilly, Nathan Yamins, W. Ray

(*Continued on page 4*)

Code Budget Hangs On Capital Ruling

The scope of activities of code authorities and their local boards, which is expected to be defined at the Washington conference of code authorities of all industries next week, will have its influence on the size of the budget to be set by the committee on finance of the film Code Authority, it was learned yesterday. No definite budget will be set by the committee, as a result, until after the Washington meetings.

Individual members of the finance committee have under consideration a

(*Continued on page 6*)

He's Not Worried

Denver, Feb. 28.—Frank Milton, owner of the Rivoli, a 10-cent grind, claims a record. Says his is the only house in the United States giving a "tab" show with pictures that has been operating for 18 years without a shutdown. Milton uses the films just before the producers are ready to put them away for posterity, gives a double feature and a half-hour show for a dime, and stands them up from three to five days a week.

Opinions Vary On Boards in Cincinnati

CINCINNATI, Feb. 28.—A survey conducted by MOTION PICTURE DAILY among the more prominent exhibitors and key men in the Cincinnati distributing area on unbiased opinions and impartial reactions of the grievance and clearance and zoning boards as announced, has brought a diversity of viewpoints.

In no case, however, has there been the least doubt expressed as to the high calibre of the men selected, who, it is pointed out, are ably qualified by

(*Continued on page 4*)

ITOA Not to Sign; Hits Labor Terms

The I.T.O.A. yesterday voted not to sign the code until its labor provisions covering operators are clarified. The organization which, by its

(*Continued on page 6*)

Court Battle Is Seen On 10% Cancellation Ruling

A court test of the ruling that the 10 per cent cancellation clause became effective Dec. 7 on all contracts of more than $250 average rental, which was handed down by Division Administrator Sol A. Rosenblatt on Jan. 18 and objected to by representatives of five leading distributors when read at Monday's meeting of Code Authority,

(*Continued on page 4*)

Duals' Spread and More Stage Shows Given As the Reason

A curtailment of short subject production for next season is foreseen in advance surveys of the market made by sales representatives and backed by advance estimates of short subject requirements submitted by theatre operators. Present, but incomplete, indications are that as many as 400 fewer shorts may be made next season. Approximately 1,200 are scheduled for this season, exclusive of newsreels.

Reasons for the curtailment are said to be primarily the spread of double featuring throughout the country and the increase in stage shows at first runs, which automatically reduces the number of shorts used by the stage presentation house, usually a source of largest rentals.

An example of the effect of double

(*Continued on page 6*)

Usher and Cleaner Strike Is Averted

An ushers' and cleaners' strike in New York theatres was averted yesterday at a conference between circuit representatives and Charles C. Levey, secretary-treasurer of Local 118, Theatre and Amusement Employes Union, at the NRA Regional Labor Board, when the union agreed to accept the circuit's offer to recognize the union to the extent of engaging with it in collective bargaining on

(*Continued on page 6*)

Kansas Industry in Clear on New Laws

TOPEKA, Feb. 28.—No legislation affecting the industry, directly or indirectly, is expected at the special session of the Kansas legislature which convenes here Thursday. The assembly is the second special session since last fall and was called for emergency farm mortgage legislation. It is expected to complete its work by the end of the week.

Who? What? When?

Eighth instalment of the biographies of the men who make up the code boards appears on page 4 today.

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W. E. 1933 Deficit Put at $13,772,504

Western Electric reports a net loss for 1933 of $13,772,504. In 1932 the loss was $12,625,972.

Sales totalled $69,511,000, about 16.9 per cent of the 1929 volume and the lowest of any year since 1915.

Flash Reviews

"The Dream of My People"—Instructive and entertaining . . . a tribute to Jewish enterprise . . . chiefly valuable in dense centers of Jewish population.

"Mystery Liner"— . . . the story seems about set to get started somewhere, but somehow or other never actually does.

"Texas Tornado"— . . . Never a dull moment in the whole of it, even though the story is old and decrepit.

These pictures will be reviewed in full in later editions of MOTION PICTURE DAILY.

"David Harum," this morning's opener at the Music Hall, was reviewed from Hollywood Feb. 27.

'As Earth Turns' Opens

DANBURY, Conn., Feb. 28.—"As the Earth Turns" was given its world premiere at the Palace here tonight by warners in a blaze of arc light.

BEN BLUE
Under Contract
WARNER BROS.
VITAPHONE STUDIO
Now Making Personal Appearances in England
Direction of
JOE RIVKIN — Leo Morrison Agency

Reservations Pour In for Club Lunch

Reservations received for today's luncheon of the reorganized M. P. Club indicate the gathering will be a "Who's Who" of the industry, Louis Nizer, in charge of arrangements, reported yesterday. Will H. Hays and Nizer are scheduled as the principal speakers for the gathering.

Important announcements on new officers of the club, its present status financially and its future plans will be made. A feature of the social calendar planned for the club will be its new bar, it was said. Plans for resumption of the Tuesday forums will be outlined.

New officers of the club have been appointed and will be made known at the luncheon. Each is an outstanding industry executive, it was said. Executives who have already agreed to serve on the club's directorate include Adolph Zukor, H. J. Yates, Al Lichtman, Jules E. Brulatour, Jack Cohn, Carl Laemmle and Hays.

Snow in Cincinnati Cripples Attendance

CINCINNATI, Feb. 28.—The heaviest snowfall in nearly a decade, according to the oldest member of the hot stove league, has slowed up theatre attendance, and crippled business generally throughout the state. Local houses which had near capacity, and, in some instances, "terrific" business on their openings Friday, report box-office curves greatly depressed.

$2,800 to 4 P. M.

"Wonder Bar" grossed $2,800 up to 4 P.M. at the Strand yesterday at 35 and 55 cents, according to Warners, who forecast a $7,500 opening day.

Bomb Dubinsky House

ST. JOSEPH, Mo., Feb. 28.—The front of Dubinsky's Electric here was wrecked early today by a bomb explosion attributed to labor trouble.

Favors Dickstein Bill

WASHINGTON, Feb. 28.—The House Immigration Committee today reported favorably on the Dickstein bill.

Chase Bank Para. Bond Claims Stand

Following an earlier order authorizing Chase National Bank, as trustee under a $13,717,819 Paramount bond indenture of Aug. 1, 1930, to file claims against Paramount for the difference between the full amount of the indenture and the amount of valid claims filed by individual bondholders, Referee Henry K. Davis yesterday denied a petition of the Paramount Publix trustees to have the Chase Bank claim disallowed and expunged.

The difference between the amount of claims filed by individual bondholders and the amount of the indenture issue is approximately $1,682,000. Referee Davis also denied a similar petition of the trustees in relation to a Chase Bank claim as trustee under a Paramount bond indenture of Dec. 1, 1927, for $12,133,752. The trustees' motion to expunge this claim was denied and it was ordered allowed in an ammount represented by the difference between the full amount of the bond indenture and the allowances made on claims filed and proved by individual bondholders.

Expect RKO Board To Confirm Shifts

(*Continued from page* 1)

as routine acceptance with no questions asked are official confirmation of decisions reached and announced in Hollywood on Feb. 16. These include elevation of J. R. McDonough, general manager of all RKO companies, to the presidency of RKO Radio Pictures; confirmation of appointment of B. B. Kahane, former president of the picture company, to presidency of RKO Studios, Inc.; elevation of Ned E. Depinet, from a vice-presidency of RKO Radio Pictures to the presidency of RKO Distributing Corp.

McDonough is reported committed to a policy of clearing all major decisions over his desk as the executive in charge of operations of all the RKO companies in production, distribution and exhibition. This is expected to be formally defined and accepted at the meeting as well.

Pathe "A" Up 1⅝ on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	24½	24	24	.....	400
Consolidated Film Industries	4⅝	4½	4½	+ ⅜	1,000
Consolidated Film Industries, pfd	16⅞	16	16⅞	+ ⅞	1,800
Eastman Kodak	91½	89¾	90½	+ ½	1,000
Fox Film "A"	15⅝	14⅞	14⅞	+ ⅜	2,200
Loew's, Inc.	32¼	30¾	30¾	— ⅝	16,600
Loew's, Inc., pfd	90	90	90	.....	100
Paramount, cts.	5	4½	4⅝	+ ¼	16,900
Pathe Exchange	3⅝	3⅛	3⅜	+ ¼	19,900
Pathe Exchange "A"	19¼	17½	18¾	+1⅝	11,500
RKO	3¾	3⅜	3⅜	.....	13,600
Universal Pictures, pfd	27½	27½	27½	+1½	1,000
Warner Bros.	7⅜	6¾	6¾	— ⅛	12,400

Technicolor Gains ½ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	9¾	9¾	9¾	+ ½	100
Trans Lux	2⅜	2⅜	2⅜	.....	100

Warner Bonds Rise 1½

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	9⅞	9	9¼	— ⅛	7
General Theatre Equipment 6s '40, ctf	9⅛	9	9	+ ¼	15
Keith B. F. 6s '46	62¼	62¼	62¼	.....	1
Paramount Broadway 5½s '51	36½	36½	36½	+1¾	1
Paramount F. L. 6s '47	46½	45½	46	+ ½	21
Paramount Publix 5½s '50	45½	45½	45½	— ½	2
Warner Bros. 6s '39, wd	56	53½	55	+1½	16

Big Electric Sued by Indie Theatre Group

(*Continued from page* 1)

tracts entered into with producers f bidding the latter to sell pictures exhibitors not using Erpi sound.

The plaintiffs demand that th contracts with the defendants be ab gated and that all payments in exc of the cost of the equipment install in their theatres be returned to the They also ask that all allegedly e cessive service charges be refunded

The plaintiffs are:

Flower Garden Amusement Corp., H rison Amusement Corp., Lauren Rea Corp., Stillwell Theatre, Inc., Reliable C Estates Operating Co., Williamsburg Pl toplay Corp., Maurice L. Fleischman, & E. Amusement Corp., Art Amusem Corp., New Utrecht-43rd Street Co Kayares Theatrical, Inc., Ridge Theatr Weiswor Amusement Corp., Unity Amu ment Corp., Fox Metropolitan Playhous Willis Avenue Theatres, Atma Amusem Corp., Katz Theatre Corp., Slope Theat Corp., Sound Theatre, Inc., Day-Gold T atres, Reginald Theatre Corp., Lincoln terprises, Ray Amusement Corp., Bosr Theatre Corp., 15th Street Amusement T. & S. Amusement Corp., Vadeau Amu ment Corp., Sanders Theatres Corp., class Motion Picture Theatres Corp., N R. Theatres, College Theatres, Ze Amusement Corp., Eagle Moving Pict Co., Hygrade Amusement Co., K. L. Holding Corp., Washington Bridge Amu ment Corp., Haring Amusement Co., E ton Crescent Corp., Monroe Cinema Co Rhinelander Amusement Corp., Roose Amusement Corp.

Rembusch Concern Out of Trust Su

Rembusch Enterprises, the Indi apolis theatre company headed Frank Rembusch which is the pri pal complainant in the anti-trust against major distributors now be tried in U. S. District Court h withdrew yesterday as a plaintiff the action.

Weed & Candler, attorneys for plaintiffs, stated that the action taken by them "owing to the admi insanity of Rembusch at this t which leaves the plaintiffs unabl establish actual damages in his from the conspiracy charged in suit."

The trial of the suit continues the Capitol Amusement Co., an Indianapolis theatre operator, in which Rembusch owns a half terest, as the sole complainant. W drawal of Rembusch Enterprises sults in eliminating from the c plaint the triple damages of appr mately $1,000,000 asked by the pl tiff. Capitol Amusement asks t damages of approximately $1,000 and this amount remains in the pl tiff's petition.

Realty Associates Offer Is Accept

Creditors of Realty Associates curities Corp., bankrupt firm w built the Paramount in Brookly well as several other theatres, ye day accepted a composition offer per cent cash and 85 per cent in g anteed bonds at a hearing before gene F. O'Connor, Jr., referee bankruptcy.

Bondholders are also to be giv one-third representation on the b of directors. The agreement mu approved by the U. S. District C

CREAM OF TODAY'S NEWS!

1—**"CAT AND THE FIDDLE"** opening engagements packing them in. (*Novarro and Jeanette Mac Donald's love songs captivate audiences.*)

2—**"MYSTERY OF MR. X"** rated swell entertainment, wins unanimous praise of New York critics. (*Bob Montgomery's handsomest starring role and a perfect exploitation picture.*)

3— **GARBO** in "Secret Loves of QUEEN CHRISTINA" continues happy box-office career.

4— **M-G-M** execs in California get first glimpse of SHEARER in "Rip Tide". Oh boy! Just wait!

5— **VIVA VILLA! VIVA VILLA! VIVA VILLA!** That's what the whole world will be shouting. (*And Wallace Beery tops his best in it!*)

Court Fight Seen on 10% Cancellation

(*Continued from page 1*)

appears a certainty in the minds of representative distribution executives queried yesterday.

The distributors point out that there is no point in testing the ruling in local code boards or with the Code Authority, as the NRA has already ruled on the subject for the guidance of code bodies. A subsequent NRA ruling held that the administrator's interpretation of code provisions is authoritative and final. These rulings make it necessary for local boards or Code Authority to contorm to the Rosenblatt interpretation on the 10 per cent cancellation clause, it was pointed out.

Distributors add, however, that another NRA ruling, given last week at Allied's insistence, makes it plain that signers of the code reserve all their rights at law in the event of injury under the code. It was stated yesterday that cancellations on contracts made before Dec. 7, the bulk of which were made at rock-bottom terms on the understanding with the exhibitor that the entire schedule of pictures of a company was being contracted for, would be considered an "injury" under the code. If cancellations were understood to be permissible on these contracts at the time, price concessions now represented in many of them would not have been made, distributors say. Some distributors stated that this would also work an injustice on other exhibitors who contracted for pictures after Dec. 7 and paid the full rentals.

See Court Action Ahead

Unauthorized cancellations will probably bring about a court action against exhibitors based on breach of contract, distributors said. They offered the opinion that NRA is without authority to disturb existing contracts and affirmed their belief that this view would be upheld by courts.

M-G-M, Paramount, RKO, Warners and Fox were the five companies whose representatives asserted their disagreement with the NRA cancellation ruling at the last meeting of Code Authority.

WASHINGTON, Feb. 28.—Contending that the provisions of the code are adequate to support the ruling with respect to cancellations, officials of the NRA will deal with the situation arising through the reported refusal of producer-members of the Code Authority to accept Division Administrator Sol A. Rosenblatt's ruling when occasion occurs, it was indicated today.

It is pointed out that the code amends all contracts in existence when it became effective, so far as provisions contrary to the code are concerned, but does not terminate any such contracts, so that the cancellation clause may be applied to those contracts, as provided in Rosenblatt's ruling.

Assents About 9,200

Code assents approximated 9,200 yesterday. A batch of about 100, including nearly 50 from individual Skouras theatres, was received.

Who? What? When?

Eighth instalment in a biographical series on the men who make up the code boards.

BUFFALO, Feb. 28.—Sydney Samson, representing affiliated national distributors on the Buffalo grievance board, is the Fox manager here and has been since Dec. 15, 1928. He was born in New York City, educated in Public School No. 1, Townsend Harris High School and the City College of New York. He started as an office boy at General Film; was shipper, booker, salesman, assistant manager, Mecca Branch, New York, for Universal; later was state right distributor in New York for Foursquare Pictures and Mentor Scenics. In 1920 he opened the Upper New York State exchange, as distributor for Harry Warner and Sam Grand, called Grand & Warner, distributing Warners, Preferred, C. B. C. (predecessor of Columbia) with branches in Buffalo and Albany.

Merging with Nu-Art, he developed Bond Photoplays, which distributed all independent product released upstate for several years. With nationalization of Warners and Columbia, he left the state right field to become New Haven branch manager for Fox on Oct. 11, 1927. A year later he was transferred to Buffalo. Samson served three years as president of the Film Board of Trade.

JACK L. BERKOWITZ, representing unaffiliated distributors on grievances, is the owner of the Standard Film Exchange with offices here and in Albany and also operates the Graphic Film Exchange, Detroit. He has been active in the industry for 20 years during which time he has consistently adhered to his independence in distribution. Berkowitz, too, is one of the original franchise-holders of Monogram. Berkowitz has been in precarious health for some time.

WILLIAM H. ("Bill") CADORET, representing affiliated exhibitors on grievances, is very well known to film topliners in New York. He entered the business as owner of the La Petite Theatre, Kankakee, Ill., in February, 1909, or almost 25 years to the day. Eventually, he gained control of the four theatres in that Illinois city and operated them until 1921 at which time he came East to join Comerford Theatres, Inc., as booker and buyer for its then 75 theatres. He has been an associate of Mike Comerford and Frank C. Walker since that time. The Comerford company interests recently took over the operation of the Century (2,250 seats) and the Regent (1,600) Publix theatres here. Together with the Capitol (1,800) which Comerford has had here for a number of years. Cadoret now is operating all three theatres as general manager.

JULES H. MICHAEL, representing unaffiliated exhibitors on grievances, has been president of the M.P.T.O. of New York, Western New York zone, for the last 10 years and has placed himself in the middle of practically every exhibitor fight in this section for the last two decades. It was in 1906 that Michael got started at the Comique Theatre, Scollay Square, Boston, doing 18 shows daily with Mitchell H. Mark who, at that time, operated what was probably the first picture theatre in Bean Town. In 1908, Michael went to Cleveland where he interested himself with Mark in the operation of several picture and vaudeville houses. After disposing of these properties, he came to Buffalo in 1914 and became interested in the Academy and Regent here and was active in setting up arbitration under the Film Boards until the procedure was legally ruled out. During the code hearings in Washington, Michael was present, championing the cancellation clause and optional arbitration. Currently, he is interested in only the Regent (950 seats) which is an independent, unaffiliated theatre.

EDWARD K. O'SHEA, representing affiliated national distributors on clearance and zoning, is manager for M-G-M. This is his home town and the day of his birth Aug. 19, 1896. His education includes grammar school, Holy Angels and the Central High School here. O'Shea worked for the veteran Mike Shea at the Court Street Theatre, a vaudeville house, for four years and resigned to enter the army. When hostilities came to an end, he returned to Buffalo on the M-G-M sales roster. This was on May 10, 1919. He has been with Leo's cohorts since. On April 27, 1925, he was named branch manager at Albany and Buffalo manager on April 19, 1926. O'Shea served overseas during the war and was seriously wounded in France. He is married, has two sons and one daughter, lists fishing, golf and contract bridge as his hobbies and is a former president of the Film Board of Trade.

DAVE MILLER, representing unaffiliated distributors on clearance and zoning, has been connected with Universal for more than 20 years. He has been in and out of Buffalo several times and has served several terms as president of the Film Board of Trade, a position he now holds. He came to Buffalo from Philadelphia to join the Universal sales force and later became general manager of the "Big U" exchange in New York, a post which he held seven years. Returning to Buffalo, Miller was manager of the Universal exchange for three years, then was transferred to Cleveland in a similar post. His next job was Middle West district manager for Universal, with headquarters in Chicago. Two years ago he returned to Buffalo as Universal manager. Miller has a wife and daughter. His parents live in Cleveland, where Miller once was usher in a theatre managed by Jules H. Michael.

VINCENT R. MCFAUL, representing affiliated first runs on clearance and zoning, has been general manager of the Shea Theatrical Enterprises for about 10 years. Fresh out of school, he entered the employ of Mike Shea as box-office assistant in the old Garden, a vaudeville house since discontinued. When the Court Street, a newer vaudeville house, was opened, he went there to take charge of the box-office. Later he became assistant manager of the Hippodrome; then became manager of the Criterion, another house no longer existent, which Shea operated for a time and relinquished. McFaul's next post was

(*Continued on page 7*)

Opinions Vary On Boards in Cincinnat

(*Continued from page 1*)

years of experience in dealing w all phases of industry problems, intelligently cope with any matt which may be brought before the

The preponderance of opin among independent exhibitors, h ever, is tinged with considerable r giving as to whether their best terests will be served and their pr lems considered entirely without judice, especially in view of the merical balance of the personnel ing on the side of the affiliated pointees, particularly in distributi

The independents are not disgr led, nor has any one of them gone far as to accuse or even intimate any affiliated member of either bo would be guilty of maliciously res ing to unfair tactics or chicane m ods, but the line of reasoning is t especially in matters of gre moment, affiliated members w naturally be more or less incline view the case more from a st point of their own interests, ra than render a verdict which m conflict with or adversely affect t affiliations. They feel that the a ated connections might to a consi able degree influence their decisio

On the other side of the picture fluential personalities with affili industry relations see the dawn new era in the setup of the boards, and, from a broader vi predict that when and as the bo begin to function, their activities be highly constructive and the in try at large thus relieved of r perplexing problems and situa which now exist unnecessarily.

Authority to Subm Report at Capi

(*Continued from page 1*)

Johnston, George Schaefer and F The group leaves here Sunday and will meet Division Administ Sol A. Rosenblatt in Washingto Monday. They will attend the ing sessions of the code autho forum in Constitution Hall, whic be addressed by President Roos General Johnson and Donald berg, NRA general counsel. A noon sessions will be addresse representatives of the Labor, sumers' and Industrial Adv Boards of NRA.

Delegations of the film Authority will be assigned to a Monday night sessions of g representing trade practices, cod ministration and small enterprise minorities. Code Authority me have indicated the greatest inter these three group sessions. On nesday, the delegation will atte general conference of Code Au ties with General Johnson in tinental Hall, returning her Thursday.

Lichtman, Feist He

Al Lichtman, vice-presider United Artists in charge of di tion, and Felix F. Feist, M-G-M eral sales manager, arrived in York yesterday from coast jau several weeks' duration.

PYTHON CAPTURES BUCK!



The "man bites dog" story of newspaper tradition gets a new twist in the jungle when a 30-foot python attacks and captures Frank Buck, wrapping the man who brings 'em back alive in his death-dealing coils. Emergencies like this, however, are all in the day's work for this daring adventurer whose occupation is at once the most hazardous and fascinating of any man alive, for it seems that regardless of how many men penetrate the unknown world Nature saves her biggest thrills for Frank Buck.

The above drawing is one of a series by the famous artist J. Clinton Shepherd, sketched from an actual "frame" in the film "Wild Cargo" *There's no time for "stills" in a world full of thrills!*

FRANK BUCK'S "WILD CARGO"

Van Beuren Production . . . . . RKO Radio Picture

Directed by Armand Denis

COMING SOON!

Cut in Shorts Output Looked For Next Year

(*Continued from page* 1)

featuring on short subjects sales is offered by the Chicago situation, where, according to reports, agitation for lifting the double feature ban in effect there for the past year is cropping up. Studies of this market reveal that with the city's dual ban eliminated, approximately 300 theatres now using three and four shorts daily would reduce their bookings to an average of one short subject daily. This would account for a daily loss of play dates for an estimated 600 to 900 subjects.

Code restrictions on the number of shorts a distributor may sell an exhibitor in relation to his feature picture contract are held by both short subject producers and distributors to have no contributing effect on an indicated reduction of shorts next season.

Usher and Cleaner Strike Is Averted

(*Continued from page* 1)

new wage scales "for those employes which the union actually represents."

The circuits, Major Leslie E. Thompson of RKO said following the conference, would not agree to a "closed" shop and would continue to employ such non-union members as they saw fit.

"We insist on the right to hire our own employes," Major Thompson said. "The managers, however, agreed again to meet with any labor organization and negotiate for those employes which the union actually represents. However, we expressed doubts that Mr. Levey represented more than a small proportion of our employes, the great majority of whom, we feel, are happy and satisfied."

Ben Golden, of the Regional Labor Board, acting on this expressed doubt of the circuit men, instructed Levey to submit membership lists of the local to him for examination.

Newmeyer to England

Fred C. Newmeyer, director, sailed for England yesterday on the *Manhattan* under contract to British International Pictures. The deal was arranged between John Maxwell and J. D. Williams, acting as Newmeyer's agent. Newmeyer will attempt to put some American comedy slants into English production.

Kan. Indies Ask Changes

KANSAS CITY, Feb. 28.—Important changes in the code were recommended in a letter sent to General Hugh S. Johnson today by the I.T.O.

Nudist Suit Off Again

Trial of the suit for an accounting of profits on "This Nude World," scheduled for yesterday in supreme court at Mineola, L. I., was postponed to tomorrow.

Caravan Breaks Up

KANSAS CITY, Feb. 28.—The "Moulin Rouge" Caravan disbanded here today after 28 days of traveling.

Detailed Salary and Bonus Data Supplied the Senate

WASHINGTON, Feb. 28.—Salaries and bonuses paid important executives by various film and allied companies, transmitted to the Senate by the Federal Trade Commission, follow in more detail:

Columbia

HARRY COHN
Vice-President, Director

Year	Salary	Bonus
1929	$127,000	$13,333
1930	141,166	....
1931*	189,333	....
1932	142,800	....
1933	145,600	....

JOE BRANDT†
President, Director

Year	Salary	Bonus
1930	$103,916	....

*As president and director, succeeding Joe Brandt.
†No longer with company.

Consolidated Film Industries, Inc.

HERBERT J. YATES
President, Director

Year	Salary	Bonus
1928	$52,083	....
1929	81,249	....
1930	75,000	....
1931	75,000	....
1932	75,000	....
1933	67,500	....

Eastman Kodak

GEORGE EASTMAN
Chairman of Board

Year	Salary	Bonus
1928	$50,000	....
1929	50,000	....
1930	50,000	....
1931	50,000	....
1932	11,538	....

JAMES H. HASTE
Director

Year	Salary	Bonus
1928	$50,000	$7,743

LEWIS B. JONES
Vice-President, Director

Year	Salary	Bonus
1928	$50,000	$7,525
1929	50,000	7,337
1930	55,000	7,687
1931	55,000	8,037
1932	52,038	8,387
1933	49,500	....

FRANK W. LOVEJOY
Vice-President, Director

Year	Salary	Bonus
1928	$75,000	$9,537
1929	75,000	10,050
1930	75,000	11,100
1931	75,000	11,975
1932	70,961	12,500
1933	67,500	....

WILLIAM G. STUBER
Vice-President, Director

Year	Salary	Bonus
1928	$100,000	$13,650
1929	100,000	14,425
1930	100,000	15,475
1931	100,000	16,350
1932	70,961	16,875
1933	90,000	....

Fox

WINFIELD SHEEHAN
Vice-President, Director

Year	Salary	Bonus
1929	$129,727	$20
1930	209,615	250,050
1931	269,647	100
1932	162,014	....
1933	250,000	....

*JACK G. LEO**
Vice-President, Director

Year	Salary	Bonus
1930	$16,000	$500,000

* No longer with company.

Loew's, Inc.

NICHOLAS M. SCHENCK
President, Director

Year	Salary	Bonus
1928	$92,000	$183,132
1929	92,000	270,202
1930	92,000	357,538
1931	92,000	274,404
1932	87,725	133,328
1933	59,800	....

DAVID BERNSTEIN
Vice-President, Treasurer, Director

Year	Salary	Bonus
1928	$81,600	$109,879
1929	94,400	162,121
1930	94,400	214,523
1931	94,400	164,642
1932	90,720	79,996
1933	59,800	....

ARTHUR M. LOEW
Vice-President, Director

Year	Salary	Bonus
1928	$70,000	....
1929	78,000	....
1930	78,000	....
1931	78,000	....
1932	113,000	....
1933	155,500	....

J. ROBERT RUBIN
Director

Year	Salary	Bonus
1928	$88,400	....
1929	88,400	....
1930	88,400	....
1931	88,400	....
1932	88,810	....
1933	57,460	....

DAVID M. LOEW
Vice-President, Director

Year	Salary	Bonus
1931	$52,000	....

M-G-M

LOUIS B. MAYER

Year	Salary	Bonus
1931	$130,000	....
1932	124,625	....
1933	84,500	....

IRVING G. THALBERG

Year	Salary	Bonus
1931	$208,000	....
1932	201,000	....
1933	135,200	....

J. ROBERT RUBIN

Year	Salary	Bonus
1931	$88,000	....
1932	84,610	....
1933	57,460	....

The return filed by M-G-M showed that Mayer, Thalberg and Rubin received a 20 per cent interst in the company's profits under a partnership contract. Their share of the earnings in 1928 was $1,060,848. In 1930 they reached a peak of $2,212,889 and in 1932 dropped to $922,141. The salaries above were reported as additional.

Paramount Publix

ADOLPH ZUKOR
President, Director

Year	Salary	Bonus
1928	$130,000	$242,389
1929	130,000	757,500
1930	130,000	228,614
1931	112,618	1,000
1932	96,031	....

(*Continued on page* 7)

Code Budget Hangs On Capital Ruling

(*Continued from page* 1)

variety of plans for assessing the industry to meet code costs as finally determined by the budget. Each member will submit a report on the plan assigned him for study at a later meeting of the entire committee. From these reports the committee is expected to agree on a final plan to submit to the Code Authority for approval at its next meeting, March 12. The basis on which all the plan under consideration will be finally judged will be the opportunity the offer of allocating code expenses throughout the industry's three branches in the same proportion in which the branches benefit from the code. Thus, the division of the industry considered to derive the most from the code would bear the largest assessment for its cost. The exhibition branch is considered to benefit most.

The committee on local code board selections met yesterday and will continue to meet almost daily hereafter in an effort to complete the naming of the 10 remaining boards for New York, Boston, Philadelphia, San Francisco and Washington by March 1

ITOA Not to Sign; Hits Labor Term

(*Continued from page* 1)

count, embraces 307 theatres Greater New York, a few in Northern Jersey and Long Island, declares was promised the scale for New York would be determined by arbitration whereas it charges Local 306 with insisting on a per-booth scale and designs to put over two men in each booth. A brief on the stand will be submitted to Washington for aring when code authorities of codes foregather there on March

A dinner to be held at the Astor on March 21 will witness formal induction into office of the current slate. Harry Brandt is president; L. Justin and Bernard Barr, vice-presidents; Maurice Brown, secretary; Hyam Rachmil, treasurer; Charl Oppenheimer, sergeant-at-arms, a Louis F. Blumenthal, chairman of t board.

Duals' End Menace, Is Golden's Clai

(*Continued from page* 1)

"would create a monopoly for the production of motion pictures by a chos few. It would cause the producti of less than 300 features a year, a that would create a monopoly.

"The old law of supply and dema would then step in and exhibito would be forced to pay such high fi rental that it would be prohibitiv Golden continued. "Exhibitors ca not offset the overhead required the making and distribution of m tion pictures when limited to 300 f tures a year," he said.

Indie Leaders Join Code Critics Todo

WASHINGTON, Feb. 28.—Abram Myers, Sidney Samuelson, Natl Yamins and Al Steffes will app tomorrow at the meeting of NI critics here to present their views the code and its effects on independ exhibitors.

Who? What? When?

(Continued from page 4)

nager of the Hippodrome. When ea's Buffalo was opened in 1926, became general manager of the ea Theatres Corp., a position he s since held. He ranks second only Shea as a champion commuter be- een New York and Buffalo. Like ea, McFaul is known widely oughout the industry. Many stars the vaudeville and of the screen e at least a part of their success McFaul's advice and encourage- nt. He has been in show business ut 30 years, all that time in asso- tion with the Shea enterprises. e Shea theatres, a Paramount part- rship, include four downtown ffalo houses. These are the Buffalo 489 seats), the Great Lakes 024), Hippodrome (2,089) and the ntury (3,076). The company also erates these houses in the neigh- rhoods: the Bailey, Elmwood 600 seats), Kensington (1,366), rth Park (1,440) and Seneca 750); the Bellevue (1,535) in agara Falls and Riviera (1,249) in rth Tonawanda.

A. Charles Hayman, representing affiliated exhibitors on clearance l zoning, is a native of New York l has been associated with every nch of the industry from its be- ning. He began as a photographer, ng out to "snap" fires, ship land- s, etc., and selling them to New rk exhibitors when Gaumont in ndon and Pathe in Paris were the y dependable sources of film sup- . Later he had a portable projec- n machine and went about New rk and New England putting on ows in tents and halls. He was one the bandits in "The Great Train bbery," first feature film ever de, and helped direct it. He also ected Broncho Billy Anderson in derson's first film. He toured the uthwest, exhibiting "The Great ain Robbery" under canvas, with parade through each town, a la ncle Tom's Cabin," preceding each ow. Later he had a string of film changes extending from New York Buffalo. When the Edison inter- s acquired its hold on patents, he out of production and distribu- n and acquired a chain of theatres upper New York State. Later he posed of these. He now operates ee houses, the Lafayette (2,999 ts) in Buffalo and the Strand 061) and Cataract (1,434) in agara Falls.

Sol Raives, representing unaf- ated subsequent runs on clearance l zoning, started in the business in w York City in 1920 and operated string of five houses on the East le for 12 years. He was a vice- sident and later a president of the eatre Owners Chamber of Com- rce in that city for two terms, as ll as chairman of the New York y arbitration board for eight years. is now operating the 850-seat mple in Fairport and the 1,000-seat alto in East Rochester as the Ro- Amusement Corp.

Irving L. Price, second exhibitor presenting unaffiliated subsequent ns on clearance and zoning, is vice- sident of the Aurora Building rp., which owns and operates the 4-seat Aurora Theatre in East rora, an independent theatre. He also treasurer of Fisher-Price Toys, Inc., a director of the Erie County Trust Co., and for six years chair- man of the East Aurora board of education of which he has been a member for the last 12 years. Price is a member of the M.P.T.O. of New York, Western Zone, and had no ex- perience in the industry prior to 1926. He is well known as an au- thor, goes in for walking trips in Europe annually, accompanied by his wife who is a well-known artist. He is also general manager of the Roy- croft establishment in his city.

Detailed Salary and Bonus Data Supplied the Senate

(Continued from page 6)

JESSE L. LASKY*
1st Vice-President, Director

Year	Salary	Bonus
1928	$130,000	$242,389
1929	130,000	751,500
1930	130,000	228,614
1931	112,618	1,000

SIDNEY R. KENT**
Gen'l M'g'r., Director

Year	Salary	Bonus
1928	$104,000	$193,911
1929	104,000	606,000
1930	104,000	183,091
1931	90,368	1,000

SAM KATZ***
Director

Year	Salary	Bonus
1928	$104,000	$193,911
1929	104,000	606,000
1930	104,000	183,001
1931	90,368	1,000
1932	78,392	....

RALPH A. KOHN
Director, Treasurer

Year	Salary	Bonus
1928	$45,500	$57,809
1929	52,000	303,000
1930	52,000	92,045

EMIL E. SHAUER†
Ass't Treasurer, Director

Year	Salary	Bonus
1928	$65,000	....
1929	65,000	....
1930	48,750	....

ELEK J. LUDVIGH††
Secretary, Director

Year	Salary	Bonus
1928	$78,000	....
1929	78,000	....
1930	78,000	....
1931	68,110	....

EMANUEL COHEN
Vice-President, Director

Year	Salary	Bonus
1932	$78,142	$95,000

HERMAN WOBBER†††
Director

Year	Salary	Bonus
1928	$52,000	....
1929	52,000	....
1930	52,000	....

ALBERT A. KAUFMAN
Ass't Sec'y, Treasurer

Year	Salary	Bonus
1928	$52,000	....
1929	52,000	....
1930	65,000	....
1931	56,993	....

JOHN HERTZ††††
Chairman, Finance Committee and Director

Year	Salary	Bonus
1932	$97,055	....

HARRY M. GOETZ†††††
Assistant Treasurer

Year	Salary	Bonus
1930	$52,000	....

* Now producing for Fox.
** Now president of Fox.
*** No longer with company.
† Deceased.
†† No longer with company. Practicing law.
††† Now with Fox.
†††† Now with Lehman Bros.
††††† Now head of Reliance Pictures.

The company listed no salaries for 1933. The report states that "due to bankruptcy no salary payments are being made out of funds of Paramount Publix Corp."

Radio-Keith-Orpheum

HIRAM S. BROWN*
President, Director

Year	Salary	Bonus
1929	$75,000	$60,826
1930	75,000	97,697
1931	100,000	520
1932	80,000	440

* No longer with company.

Universal

CARL LAEMMLE
President, Director

Year	Salary	Bonus
1928	$132,000	....
1929	181,500	....
1930	....	....
1931	156,000	....
1932	156,000	....
1933	156,000	....

Warners

Renraw, Inc.

By agreement dated Sept. 1, 1928, with Renraw, Inc., the serices of the H. M., A. W. and J. L. Warner were engaged for six years at $10,000 per week and the agreement provided that the Warner brothers would not directly or indirectly engage in any competitive business during that period of time, and in consideration of the foregoing given 15,000 shares of Warner Bros. Pictures, Inc., common stock outright and 75,000 shares per year provided they lived.

Year	Salary	Bonus
1929	$520,000	....
1930	520,000	$10,000
1931	486,916	465,000
1932	376,497	120,000
1933	280,575	....

SAM E. MORRIS
Vice-President

Year	Salary	Bonus
1929	$49,000	$2,000
1930	73,500	3,240
1931	89,138	240
1932	76,199	160
1933	70,249	....

Annual salary in effect Sept. 1, 1933, $72,335.

A. C. THOMAS
Sec'y, Director

Year	Salary	Bonus
1930	$65,000	$1,490
1931	77,250	240
1932	81,681	160
1933	98,949	....

HERMAN STARR
Vice-President

Year	Salary	Bonus
1930	$52,000	$2,000

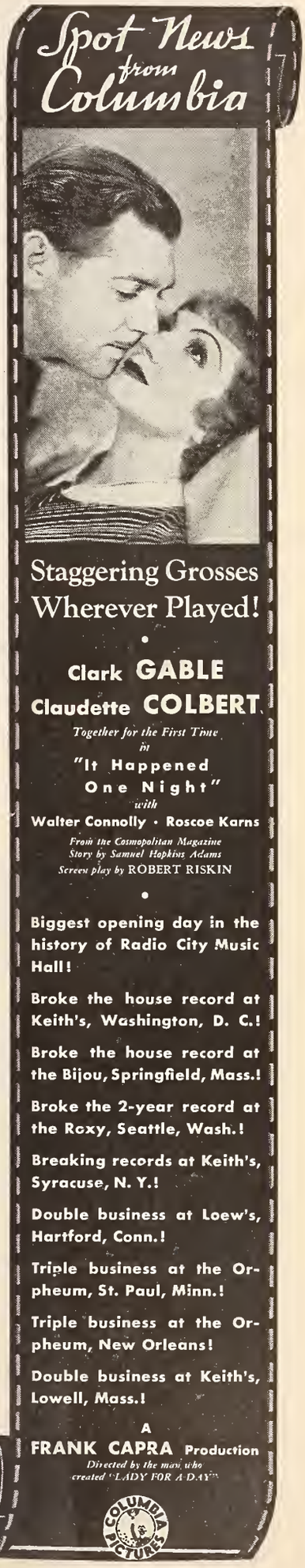
STANLEIGH P. FRIEDMAN
Attorney, Director

Year	Salary	Bonus
1930	$52,000	$1,000
1931	49,138	240

IRVING D. ROSSHEIM
Director

Year	Salary	Bonus
1929	$92,089	$240
1930	1,923	131,000

Rossheim was formerly a president of Stanley Co. of America.





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The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

OL. 35. NO. 50 NEW YORK, FRIDAY, MARCH 2, 1934 TEN CENTS

Rembusch Suit Dismissed in Federal Court

ction Taken Following Agreement of Counsel

The Frank J. Rembusch anti-trust t against major companies and the P.P.D.A. was dismissed yesterday Judge Alfred M. Coxe on motion Max D. Steuer, attorney for the endants, following an agreement ched in chambers with counsel for plaintiffs.

Dismissal of the action was necessi- ed by the admitted insanity of Rem- ch, former Indianapolis exhibitor, ich made it impossible to obtain testimony, according to Weed & ndler, of counsel for Rembusch.

(*Continued on page 4*)

arn $4,704,950 in Period of 6 Years

Nicholas M. Schenck, David Bern- in and Arthur M. Loew, serving as cers of both Loew's, Inc., and G-M, earned $4,704,950 in salaries l bonuses in the six years from 8 to 1933, according to figures hered by the Federal Trade Com- ssion and submitted to the Senate in ashington.

Schenck's six-year salary from

(*Continued on page 11*)

ore Seeks 80% Tax Over $75,000 Mark

WASHINGTON, March 1.—Imposition an 80 per cent tax on salaries in ex- s of $75,000 per year was proposed sterday by Senator Gore of Okla- ma in an amendment to the pend- tax bill which he will introduce en the measure comes up in the nate. The proposal resulted from salary report of the Federal Trade mmission made public Tuesday.

ranklin Lines Up Initial Production

ndicating plans are getting along to er the field as a producer on his n, Harold B. Franklin has pur-

(*Continued on page 11*)

Recruits?

H. J. Yates, W. Ray Johnston and Harold B. Franklin were visitors at the Biograph studio this week.

Vitaphone's Plea Denied In Erpi Case

Delaware Suit Expected To Take New Tack

WILMINGTON, March 1.—Vitaphone's motion for reargument in its action against Erpi was denied in the Supreme Court at Dover today. Two weeks ago Vitaphone asked the court to hear a reargument of Erpi's appeal, seeking a modification of the opinion handed down in favor of Erpi which required that the case go back to arbitration.

In the original action Vitaphone brought a suit in Chancery against Erpi claiming royalties. The court overruled the plea filed by Erpi contending that the state court did not have jurisdiction and ordered Erpi to file an answer. Erpi appealed to the state court at Dover which over-

(*Continued on page 4*)

Unplayed Shorts Selling Problem

The increasing number of unplayed short subjects which remain on contracts at the end of every season was cited yesterday as a major influence behind the consideration being given by several large producers to curtail production next season. A reduction of approximately 400 shorts in next season's schedules, as compared with the current one, is indicated at this time.

It was pointed out by sales execu-

(*Continued on page 11*)

New Deal for Club Set, Nizer States

Sufficient new members to effect a reorganization of the M. P. Club and assure its continuance have been obtained, it was stated yesterday at a luncheon addressed by Will H. Hays and Louis Nizer, who outlined plans for the club's future.

Complete financial reorganization of the club has already been effected, Nizer said. A lease on the club quar-

(*Continued on page 4*)

U. S. Statistics Soon On Amusement Field

WASHINGTON, March 1.—Initial figures showing the effect of the depression on the amusement industry

(*Continued on page 11*)

First in Albany

Albany, N. Y., March 1.—Official personnel of the Albany code boards was flashed and received by the trade here through *Motion Picture Daily*.

Reports Vary On Code Setup In K. C. Area

KANSAS CITY, March 1.—While the general reaction to the code boards' personnel for this territory is favorable, unaffiliated exhibitors make no secret of their feelings that the setup, particularly of the grievance board, fails to give them a break.

Unaffiliated exhibitor members of the boards, and independents generally, fear that the balance of power is with the major distributors and affiliated theatres.

The four unaffiliated exhibitor representatives hold this view, but say "they hope for the best." Also, they find some consolation in the fact there will be a disinterested member from outside the industry who will vote in case of a tie. The unaffiliated exhibi-

(*Continued on page 9*)

Buffalo Men Like Code Board Setup

BUFFALO, March 1.—General approval of the grievance and clearance and zoning boards in Buffalo is expressed in statements of responsible distributors and exhibitors, who are not included in the personnel.

Arthur Michaels, who operates the Allendale, independent second run in Buffalo, says:

"I think they selected the best men

(*Continued on page 8*)

Complaints Piling Up for Cincy Board

CINCINNATI, March 1.—Statements of exhibitors, especially independents, indicate the grievance board for this territory apparently will not lack ac-

(*Continued on page 8*)

Chicago Boards Get Saperstein Approval

CHICAGO, March 1.—Allied of Illinois, speaking through its president, Aaron Saperstein, views with satisfaction personnel of the Chicago code

(*Continued on page 8*)

Board Shifts Prepared for By Authority

Need of New Alignments Not a Surprise

Necessity of making shifts in the personnel of announced code boards, actual and impending, caused no surprise to Code Authority where changing alignments in the field are recognized as making essential alterations in appointees originally named.

Several already have developed and probably there will be more. John Elliott of Lexington, Ky., now verifies reports that he will not serve on the Cincinnati grievance board. Recent transfer of Ben Kalmenson, former Pittsburgh manager for Warners, to the theatre department in that city, succeeding Frank Damis, who has been returned to Northern New Jersey, is another case in point.

In Kansas City, illness of Lawrence

(*Continued on page 9*)

Columbia and "U" Silent on Ruling

Universal's and Columbia's stand on the NRA ruling that the 10 per cent cancellation provision of the code applies on contracts made prior to Dec. 7 remained unstated yesterday. M-G-M, Paramount, RKO, Warners

(*Continued on page 8*)

Boards for 3 More Cities Said Named

With Washington, Philadelphia and San Francisco code boards reported completed, the Code Authority committee on nominations adjourned yesterday until March 9, at which time the committee expects to complete the

(*Continued on page 8*)

Allied Guns Fail to Pop in Washington

WASHINGTON, March 1.—The anticipated onslaught of Allied interests against the code at the "criticism"

(*Continued on page 8*)

Who? What? When?

Ninth instalment of the biographies of the men who make up the code boards appears on page 8 today.

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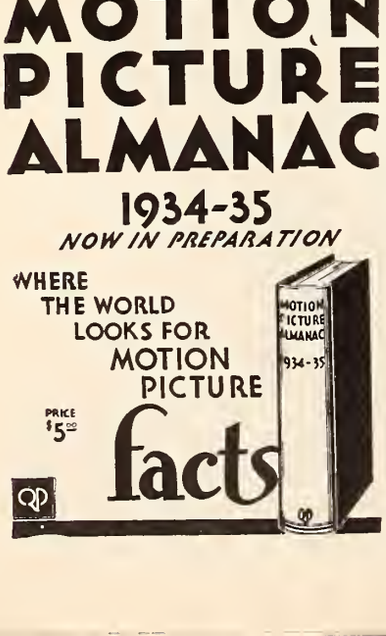
Subscription rates per year: $6 in the Americas, except Canada $15 and foreign $12. Single copies: 10 cents.

Ampa Begins Fight On Star Reviewing

The Ampa yesterday went on record in opposition to star rating of reviews and appointed Ben Atwell of Columbia chairman of a committee, to be named, to check and ascertain the best method of pushing the opposition.

Plans also were discussed to give John C. Flinn, Ampa president, a dinner sometime in April. According to the by-laws, nominations for a new slate are to be made the third Thursday in March and the election the third Thursday in April.

Chief objection on star ratings revolves around the *New York Daily News* and *Liberty Magazine*.



Insiders' Outlook

PLENTY of reason to believe that the key men of the business have been lined up—seriously—in support of the rejuvenated, resuscitated and revived Motion Picture Club. Louis Nizer has been on the idea for several months, was retarded from making faster progress while Will Hays was in Hollywood, resumed the cudgels again when Hays returned a handful of days ago. Picked with its central location very much in mind, the club started in '29 with much flourish and fanfare, held its own for quite a while, ran into the depression and has been staggering since then.

▼

One of the reasons why the club has floundered, after ruling out the depression and salary cuts, undoubtedly was the failure of your most persistent headline names to attend. The most consistent in point of performance was Harry M. Warner; then he stopped. A real handicap in that direction long has been an inability of the board of governors to keep persistent members off the necks of visiting bigwigs. On the rare occasions when the big men did show up, someone invariably button-holed them for an appointment or attempted to interrupt the business of eating with the business of pictures. No effective way of killing such a practice has developed, unless it might be summary dismissal for anyone caught in the act. . . .

▼

However, there is no substantial reason why the club should not prosper. There is no reason, too, why the many men in New York who gather at the Astor, the Tavern and elsewhere should not foot it to the Bond Building and give what was designed as, and is, their own club a break. Indicative of the new order is a plan, brewing now, to put into the president's chair a very well-known and equally well-liked executive. His name ought to draw 'em in. . . .

▼

Roxy probably will light in some of the RKO theatres in that 25-week barnstorming tour of his. That's broadmindedness for you. . . . Tip to M.P.T.O.A. leaders who say they are expecting action by Ben Berinstein's I.T.O. of Southern California in affiliating with the national M.P.T.O.A. at convention time in Los Angeles: Berinstein's organization voted to affiliate some time ago. . . . A film man's tribute to J. J. McCarthy on his work in cleaning up advertising: "It's getting so you have to go to the foreign film papers for a glimpse of a Hollywood navel."

▼

It may be by fall and it may be sooner than that when Paramount is shooting a feature a month at Eastern Service Studios. Fox may be the second to match that schedule here. . . . Have any exhibitors told you how nice it is to be located in a territory involved in a rental price war between two newsreels? They say it makes it possible to book fresh releases for $10 that used to cost $50 and up. . . .

KANN

To Screen Jerome's Life

Robert T. Kane is to produce Ray Long's life of William Travers Jerome, who died recently, for Fox. Long will make his own adaptation.

Monte Brice to Coast

Monte Brice left for the coast yesterday to complete work on his original story, "Benefit Performance." He expects to remain there a month.

Pathe Up ½ on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	23¾	23¾	23¾	— ¼	100
Consolidated Film Industries	4¾	4⅜	4⅜	— ⅛	400
Consolidated Film Industries, pfd	16⅞	15⅝	16	— ⅜	600
Eastman Kodak	90	89½	90	— ½	400
Fox Film "A"	15⅛	14⅛	14½	— ⅜	1,100
Keith-Albee-Orpheum, pfd.	25	25	25	+ ⅛	500
Loew's, Inc.	31⅞	30⅜	31⅝	+ ⅞	11,800
Loew's, Inc., pfd	89⅞	89⅞	89⅞	— ⅛	100
M-G-M, pfd.	22	22	22	— ½	100
Paramount, cts.	5⅛	4	5	+ ⅜	18,500
Pathe Exchange	3⅞	3¼	3⅞	+ ½	14,700
Pathe Exchange "A"	20⅝	19	20½	+1¾	15,800
RKO	3⅝	3⅞	3½	+ ⅛	6,100
Warner Bros.	7	6¾	7	+ ¼	3,700

Technicolor Off ½ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	9¼	9	9¼	— ½	1,200

Pathe Bonds Lose 1½

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	9⅝	9	9⅝	+ ⅞	3
General Theatre Equipment 6s '40, ctf	8⅞	8¼	8¼	— ¾	3
Loew's 6s '41, ww deb rights	95¾	95¾	95¾	+ ¼	1
Paramount Broadway 5½s '51	36½	36½	36½	.....	3
Paramount F. L. 6s '47	45½	45	45½	— ½	3
Paramount Publix 5½s '50	47	45	47	+1½	27
Pathe 7s '37, ww	94	92½	92½	—1½	8
RKO 6s '41, pp	35	35	35	.....	1
Warner Bros. 6s '39, wd	55	53¾	55	.....	18

Purely Personal

PHIL REISMAN, general exp manager for RKO, is on his w back to this country on the *Berenga* AMBROSE S. DOWLING, who w abroad with him, is staying in L don as European manager.

WALTER EBERHARDT slipped all way to Scarsdale station from the per reaches of the town the ot morning.

WALT DISNEY will be intervie over WEAF at 10:30 Sunday ni on a coast-to-coast hook-up. T will be his first appearance on the

FOCION SOTO, who came to N York to handle a deal between R and Cine Colombia, sailed yester on the *Colombia*.

HOWARD S. CULLMAN, receiver the Roxy, leaves tomorrow for a day vacation in Bermuda.

EDDIE UGAST, manager for Un Artists in the Philippines, is h

R. C. Richards Dies

NEW ORLEANS, March 1.—R Clyde Richards of Bay St. L Miss., circuit operator, has pa away at Covington, La., where he spent the past six months becaus ill health. He was 43. Richard survived by a widow and an ir son; four brothers, E. V. Richa Charles E. Richards and James Richards, of New Orleans, and F erick M. Richards of Shreveport, five sisters, Mrs. Frederick G. D and Mrs. Lauch Freeman of Benn ville, S. C.; Mrs. W. G. Horne, Rocky Mount, N. C.; Mrs. P. Johnson and Mrs. Talmadge Ti of Shreveport.

Richards was a native of Wiln ton, N. C. The body was brougl New Orleans for funeral services

Hawkins to Coast

Stanley Hawkins, assistant to H Glennon who runs the Eastern Se Studio, leaves for Hollywood day to become general manage the General Service Studio, form the Metropolitan lot. Erpi ope the West Coast plant as well.

Rodemich Funeral To

Funeral services for Gene Rode will be held this afternoon fron home at 14 Green Haven Rd., La mont. He died Tuesday nigh Medical Arts Sanitarium of p monia and is survived by his w and two children.

Meeting Postponed

Scheduled annual directors' me of RKO Radio Pictures was not yesterday, but is down on the cal for this afternoon.

Snow Socks K. C.

KANSAS CITY, March 1.—A te snowstorm and zero weather grosses considerably over the w end.

Shows Out, Duals I

DETROIT, March 1.—The Sta dropping stage shows and goin for a first-run policy of double tures Friday.

NEWS OF WEEK IN PHOTO-REVIEW



'WONDER BAR' TOPS ALL previous Warner musicals by average of six percent at N.Y. Strand premiere!°



DANBURYITES COME BY SLEIGH in sub-zero weather to help ring up four-times-average opening figures at Connecticut test premiere of 'As The Earth Turns.'*



LION PUTS HEAD IN JOE BROWN'S MOUTH —and claws in star's shoulder—as Warners crowd 'Sawdust' with circus thrills.°





MOVIE MEN START migration to Warner Exchange cities for next Tuesday's National Trade Showing of 'Harold Teen'* and other spring product.



ROBINSON SCORES holdover at N. Y. Rialto with 'Dark Hazard,'° which *Daily News* calls 'sure bet'.

STUDIO STARTS work on 'Dames,' first Keeler-Powell star vehicle, with Buz Berkeley numbers.*

*A Warner Bros. Picture †A First National Picture Vitagraph, Inc., Distributors

Vitaphone's Plea Denied In Erpi Case

(*Continued from page* 1)

ruled the chancery decision, holding that Erpi's plea was good, if proven, and that the lower court had erred in ordering the defendant to file an answer.

It is understood that within a short time counsel for Vitaphone will file a replication to its plea in chancery calling upon Erpi to submit proof of the facts set up in the plea.

In the plea Erpi had contended that under the arbitration covenants between the two companies all disputes would have to be submitted to arbitration in New York and that after four years of arbitration at a cost of about $1,000,000 Vitaphone suddenly withdrew and filed the court action in Wilmington. Vitaphone, it is understood, will call upon Erpi to submit proof of its contention that arbitration had not broken down.

Writers' Guild Alters Code of Operations

HOLLYWOOD, March 1. — Screen Writers' Guild by a vote of three-quarters of the membership today adopted a revised code of working values, excepting Article 12, which makes it possible in case of a strike to prevent studios from signing important writers to contracts and eliminating them from joining their fellow members in any group action.

The executive board has also been given the right to limit members to signing contracts beyond a named date. This does not affect any contracts signed now or in the future until the board issues such an order. Even after the order is issued members may sign contracts if they contain a clause to the effect that the contractual members may walk out with his fellow guild members in case a producer is declared unfair.

Grievance Rules Ready

Rules of procedure for grievance board hearings were completed yesterday by the Code Authority committee on manual and are now being printed. The committee expects to have completed the rules for clearance and zoning boards prior to the next meeting of Code Authority March 12.

To Tone "Bottoms Up"

HOLLYWOOD, March 1.—In compliance with the request of the Hays office Fox is toning down parts of the "Bottoms Up" which were found objectionable by a jury consisting of Emanuel Cohen, Jack Warner and Harry Cohn.

Joe Rivkin to Coast

Joe Rivkin, of the Leo Morrison office, is flying to the coast over the weekend, to be gone about a month. While there, he expects to close deals with at least five stare for personal appearances on Broadway.

Start Script Service

Mo Wax and Ronald Bank have organized a unit to prepare completed scripts for producers from novels and plays.

New Type

Hal Horne, still confined to his quarters at the Park Central, cracked yesterday he was looking for a due bill at Campbell's.

Union Head Charges Ushers Intimidated

Complaints that Loew's and RKO "intimidated" employes by allegedly requiring "loyalty pledges" of ushers and cleaners are being made to the National Labor Board at Washington by Local 118, Theatre and Amusement Employes Union, Charles C. Levey, secretary-treasurer of the local, said yesterday.

Levey charged that the circuits misrepresented the union's aims in meetings of employes called late Wednesday, following conferences at the NRA Regional Labor Board here at which the circuits agreed to engage in collective bargaining with the local on behalf of employes who were members of it. Levey said yesterday that he would decline to meet with circuit representatives until his intimidation charge has been settled. He will ask for a hearing on this before the National Labor Board on March 9, he said. Levey declared that the local would not call a strike unless advised by the ational Labor Board that it could take no action on his present complaint.

Frustrate Plan to Unionize 1st Runs

KANSAS CITY, March 1.—Attempts to organize employes at downtown first runs here were frustrated when the managers learned of the move and fired the would-be organizers. Two ushers lost their jobs.

Some of the ushers are burning because the code provides a minimum which is lower than the salary they have been getting. They charge major circuit theatres with ousting ushers in order to employ new men at the code minimum.

The theatres deny this is the case. One manager explained that, whereas the code sets a minimum of 25 cents per hour for a 40-hour week, or $10 a week, he is still paying ushers who were employed when the NRA blanket code went into effect $14.50 per week, the prescribed minimum in that code for Kansas City. The average wage for ushers in Kansas City is said to be $12 a week.

Operators in Frisco May Ask Arbitration

SAN FRANCISCO, March 1.—Unless theatre owners reach a decision this week on the operators' demand for restoration of pay cuts the union will demand immediate arbitration, according to F. M. Billingsby, business agent.

Theatre owners discussed the demand at the office of the California Theatre Ass'n. this week, but no conclusions were reached, according to Irving C. Ackerman, president.

Casino Change Soon

The Casino, formerly the Earl Carroll, will go into a first run picture and vaudeville policy in about 10 days. Louis F. Blumenthal will operate.

New Deal for Club Set, Nizer States

(*Continued from page* 1)

ters which called for an annual rental of $24,000 and had nine years to run has been cancelled in favor of a new one which provides for payment of rent only in the event of a club surplus after payment of all expenses; the payment, in any event, not to exceed $12,000 annually. An item of $17,000 on which the club was in arrears has been canceled by the landlord. The surplus over the first $12,000 for rent will be used to amortize a bond issue of the club. Dues have been reduced and an initiation fee eliminated.

The club has been offered $10,000 a year for broadcasting rights to Tuesday forum programs, Nizer said. These programs will feature outstanding speakers and will be resumed on a semi-monthly basis in the near future. New officers are being selected for appointment. Ned E. Depinet of RKO is being sought for president, it was learned.

Addressing the luncheon, Hays paid tribute to the outgoing officers and asked for industry support of the reorganized club as an "essential forum at which members of the industry may meet and solve mutual problems, common to each other and to the industry."

On the dais at yesterday's luncheon, in addition to Hays and Nizer, were Jack Alicoate, chairman; H. J. Yates, Jules E. Brulatour, Eugene Zukor, Jack Cohn, Felix F. Feist and Lee Ochs, the outgoing president.

FWC Trustees Agree On $100,000 Repairs

HOLLYWOOD, March 1.—Trustees of Fox West Coast have agreed to spend $100,000 in the next six months on alterations and improvements, including new seats and marquees for various circuit houses in Southern California.

Under the new deal covering the Hollywood Pantages, a new company known as the Hollywood Pantages Theatre Corp. is to be formed, giving Pantages 50 per cent of the stock with West Coast holding the rest and dictating policy. A loss of $48,000 advanced by F. W. C. to Pantages since the former joined the present operators will be written off.

Levy Off Tomorrow For Coast Meeting

Jules Levy, RKO general sales manager, leaves for the coast tomorrow to visit the studio. While there, he will hold his annual pre-season conference with production executives and will conduct a western sales conference.

Harry Cohn, western sales manager, and the following branch managers are scheduled to attend: J. H. Ashby of Denver, N. P. Jacobs of Los Angeles, M. E. Corey of Portland, T. J. Walsh of Salt Lake, G. Wm. Wolf of San Francisco and E. A. Lamb of Seattle.

Denies Booking Roxy

Loew's is not booking Roxy and his gang, declares L. K. Sidney, head of the production department. Sidney says he is not negotiating for the act, and all bookings for the Loew circuit are made through its own booking agency.

Rembusch Sui Dismissed i Federal Cour

(*Continued from page* 1)

Without his testimony, it was sa plaintiff's attorneys would be una to link up damages to Rembusch w a conspiracy on the part of the d fendants, even though such a c spiracy as charged in the suit w proved.

Rembusch Enterprises withdr from the action as a plaintiff for same reason on Wednesday, leav Capitol Amusement Corp., in wh Rembusch owned a half interest w W. H. Woodsmall, as the only pla tiff remaining. Efforts of the pla tiff's attorneys yesterday to link damages to Woodsmall with the leged conspiracy failed, resulting the agreement to dismiss. No ap will be taken, Weed & Candler sta

Judge Coxe denied a motion of defendants for extra allowances compensation growing out of the

The Rembusch action had been the Federal court calendar for m than three years. It sought aggreg triple damages of approxima $2,000,000, and was in its third w of trial here.

Publicity Writers Shifted at Studi

HOLLYWOOD, March 1.—Frank F and Barney Hutchinson have resig from the Paramount publicity dep ment. John Miles, formerly Fox, has been signed to take Pc place.

Other reorganization of the dep ment has Lance Heath handling Rufus Blair handling national contacts and Len Boyd planting.

Pat Patterson, formerly with W ners, has joined the Fox publ department, handling part of the p ing and units. Al Parmenter will dle the Jesse L. Lasky unit, rece vacated by Miles.

Goldwyn Aims Bla At Dickstein B

Samuel Goldwyn says actors be at the doors of Congress "as for doles" if the Dickstein bill a at the entry of foreign talent is pa
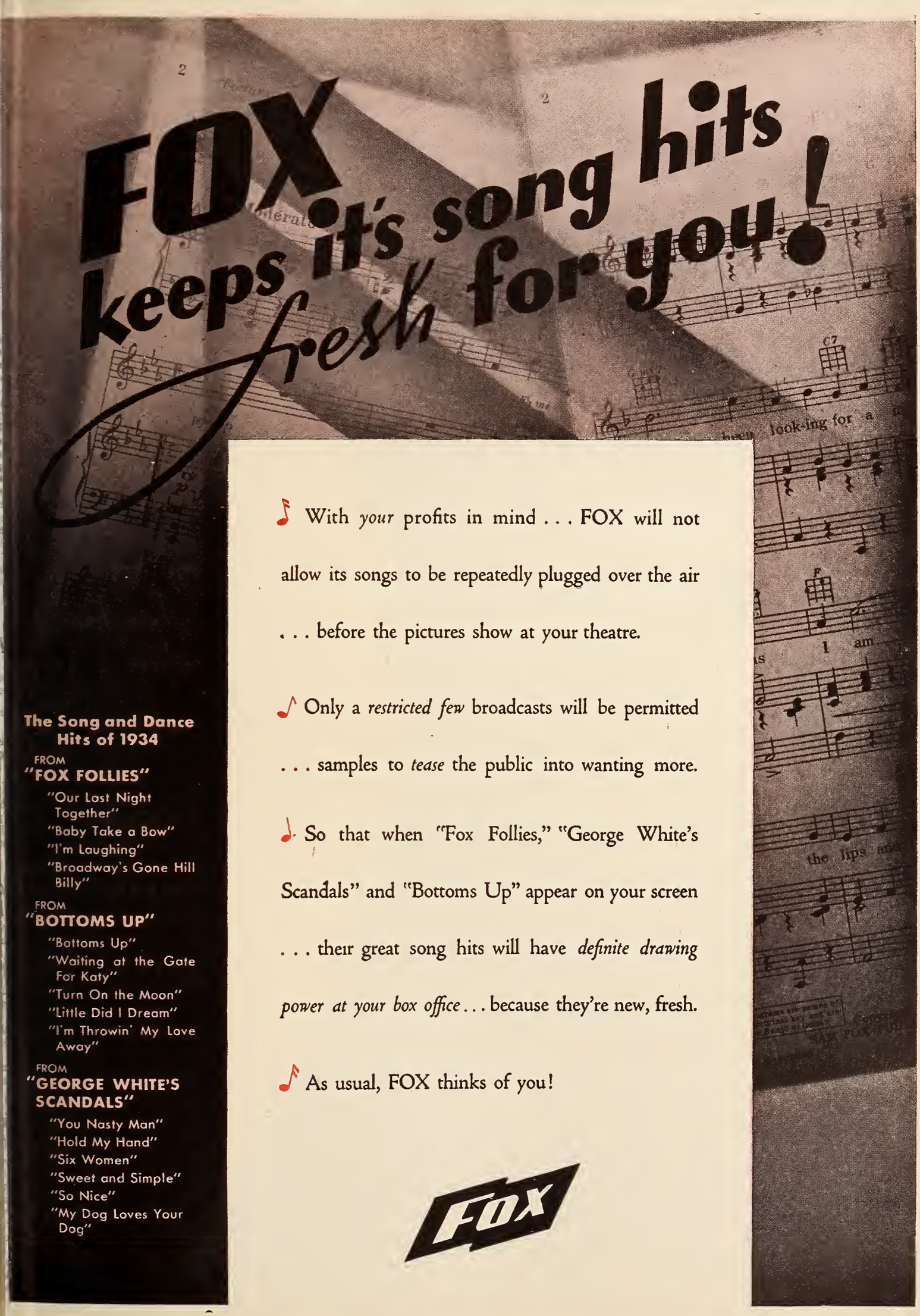
"Producers depend upon fo revenue," asserts Goldwyn. "If bill is passed," he says, "coun abroad will retaliate. Every country is trying to help the fil dustry, but this country figures and means of hurting it."

American jobs would be curt instead of increased by the passa the measure, he said.

Fox and Bow Tryin To Agree on Sto

HOLLYWOOD, March 1.—Fox Clara Bow are still trying to out their differences. Clara has seething ever since Fox ass Ketti Gallian the starring rol "Marie Gallant" which was origi purchased for Bow. With her co calling for an "okay" on st Clara has been turning down right and left and will continue so until she is more than pleased

FOX keeps it's song hits fresh for you!



With *your* profits in mind . . . FOX will not allow its songs to be repeatedly plugged over the air . . . before the pictures show at your theatre.

Only a *restricted few* broadcasts will be permitted . . . samples to *tease* the public into wanting more.

So that when "Fox Follies," "George White's Scandals" and "Bottoms Up" appear on your screen . . . their great song hits will have *definite drawing power at your box office* . . . because they're new, fresh.

As usual, FOX thinks of you!

FOX

The Song and Dance Hits of 1934

FROM
"FOX FOLLIES"

- "Our Last Night Together"
- "Baby Take a Bow"
- "I'm Laughing"
- "Broadway's Gone Hill Billy"

FROM
"BOTTOMS UP"

- "Bottoms Up"
- "Waiting at the Gate For Katy"
- "Turn On the Moon"
- "Little Did I Dream"
- "I'm Throwin' My Love Away"

FROM
"GEORGE WHITE'S SCANDALS"

- "You Nasty Man"
- "Hold My Hand"
- "Six Women"
- "Sweet and Simple"
- "So Nice"
- "My Dog Loves Your Dog"

Weather or Not—

ANN

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BOSTON	"Strong worthw weather
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MONTREAL	"Went
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(HELD OVER)

k!" — *Variety* (HELD OVER)

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Please!

Exhibitors, there is only one Samuel Goldwyn production of Anna Sten in "Nana." Fooling your public with foreign-made, English-dubbed pictures may do irreparable harm to your theatre's reputation.

Released thru UNITED ARTISTS

Buffalo Men Like Code Board Setup

(*Continued from page* 1)

available for the board posts. The personnel is genuinely representative. If the plan is worked out properly and the boards' powers are exercised conscientiously, I believe the organization will be just the thing we have needed for a long time."

Kenneth G. Robinson, manager of the Paramount exchange:

"Our company, like other national distributors, co-operated in formulating the code. For that reason, I believe expressions of exhibitors are more important than what we might say of our own creation. All the out-of-town exhibitors with whom I have discussed the boards seemed to be well pleased with the setup."

George H. Moeser, manager of the Hollywood Pictures exchange, independent distributor:

"The men chosen on the grievance and zoning-clearance boards in Buffalo are absolutely capable and fit."

Allied Guns Fail to Pop in Washington

(*Continued from page* 1)

sessions now being held by the NRA today proved a dud. A mere announcement that a brief would be filed at a later date was the gist of their remarks.

Advised through publication yesterday of the Administration's schedule of appearances that Sidney E. Samuelson, Abram F. Myers, Nathan Yamins and W. A. Steffes of Allied would appear today, Division Administrator Sol A. Rosenblatt attended the session determined to make a finish fight on any charges filed.

Allied Group Votes Against Code Setup

MINNEAPOLIS, March 1.—Refusal to accept the code under its present setup was voiced by more than 100 Allied members here today. Opposition was directed particularly at the personnel of Code Authority and the local boards. The whole document was held disadvantageous to independents. Bill Glazer, H. B. Smoots, Bonnie Benfield, Eddie Ruben, Abe Kaplan and Joe Friedman were named an executive board to reorganize the local unit and lift it to its full power. They will meet Friday.

Complaints Piling Up for Cincy Board

(*Continued from page* 1)

tivity when it gets into operation. Exhibitors say they are marking time until the board begins to function in order to present their cases, some of which appear to be ancient.

Exhibitors, generally, continue to reiterate the high regard in which they hold members of the grievance as well as the clearance and zoning boards, both from a personal and business standpoint, but in a number of instances these expressions are qualified with the hope that controversial matters will be adjudicated on a non-prejudicial and impartial basis.

Simmonds Starts Back

HOLLYWOOD, March 1.—Roy Simmonds, director of Fox publicity in England, left yesterday for New York, where he will sail March 4 for London.

Who? What? When?

Ninth instalment in a biographical series on the men who make up the code boards.

CHICAGO, March 1.—CHARLES REAGAN, representing affiliated distributors on grievances, is district manager for Paramount with headquarters in Chicago and exercising supervision over Chicago, Detroit, Milwaukee and Indianapolis. Reagan's work in the business has been confined exclusively to posts with Paramount for whom he began working as a salesman in 1920 in Cincinnati. He was subsequently made branch manager and later took over Indianapolis. Prior to becoming district manager here he made his headquarters in Cincinnati, where he had supervision over Cincinnati, Indianapolis and Louisville. Reagan is 37 years old, married and the father of a girl. He was born in Lawrenceburg, Ind., on June 20, 1896, attended Notre Dame, where he graduated in 1916, entered the employ of a munitions factory in Dayton as a cash accountant and clerked in several hotels for a time.

IRVING MANDEL, representing unaffiliated distributors on grievances, was a practicing attorney before he cast his lot in the picture business as a state right distributor in 1920. He is president of Security Pictures, Inc., Monogram distributors in Illinois, Indiana and Wisconsin, and maintains branches in these cities. Mandel started in Chicago and has been here ever since. He is an officer of the Federation of the M. P. Industry and a member of the executive committee and a director of Monogram pictures. Mandel was born in Chicago on July 18, 1893, is a graduate of the University of Illinois, and during the World War was in the Navy. He is a married and the father of one child.

JAMES E. COSTON, representing affiliated exhibitors on grievances, was born on board a vessel outbound from Greece, which he claims as his native country. As far as the industry is concerned, it came into his life—or he came into its life—along in 1910, when, while working for the elevated system in Chicago, he became a ticket taker for a small South Side theatre. Came the dawn, as they were wont to say, and Coston found himself with a substantial interest in 28 local theatres which the Warners managed to persuade him to part with in 1930, at which time he became general manager of Warners Theatres in this territory, exercising supervision over 22 houses in Chicago and 23 in Wisconsin. But before this transition he headed the Coston booking circuit, during which he is rather generally credited with giving birth to the mass booking idea to extent where, at its peak, his bookings and buying company did business for 136 theatres—large, small, good, bad and indifferent. In 1911 he was on the executive board of the Exhibitors' League here. Coston hesitates to speak about his age, but admits that he has two daughters, 15 and 17 years of age.

The Warner holdings in Chicago include the Avalon (2,400 seats), Capitol (2,499), Cosmo (1,222), Frolic (872), Grove (1,857), Hamilton (997), Highland (2,059), Jeffrey (1,800), Lexington (721), Metropolitan (1,442), Oakland (1,405), Orpheum Downtown (677), Shakespeare (954), Shore (1,498), Stratford (2,460), Symphony (1,700) and West Englewood (2,065). In Indiana, the company has the 1,000-seat Orpheum and 1,500-seat Parthenon in Hammond. Many of the houses once acquired by Warners in the latter state have been turned back to their owners.

NATE WOLF, representing unaffiliated exhibitors on grievances, has been on both sides of the fence since he started in the business in 1906. Wolf began as an exhibitor, but drifted into the film end as one of the operators of the American Film Exchange. After the business was sold to General Films, Wolf became an exhibitor again which he is at present, operating the Lane Court (999 seats), Division, Newberry (700) and Biltmore (1,677) He is a director of Allied Theatres of Illinois and has for many years been a conspicuous figure on the floor of exhibitor conventions. Wolf is 47 years old, married and the father of two children.

FELIX MENDELSSOHN, representing affiliated distributors on clearance and zoning, started in the business in 1917 as branch manager for World Film at Cincinnati. He then became a salesman for Goldwyn and on July 10, 1920 manager in Philadelphia. Mendelssohn was made a Goldwyn district manager and on Nov. 11, 1925, was transferred to the home office. His next move found him ensconced as branch manager for M-G-M at the Philadelphia office in 1926, the next rung up the ladder being the branch managership of the Chicago Metro office, where he is located at present. Mendelssohn was for three years president of the Chicago Film Board of Trade and held this office with distinction. He asks that his birth be recorded as "the latter part of the 19th century." Mendelssohn is married to Edna Pfister, who was secretary of the local Film Board while he was president.

LOWELL B. MASON, impartial member on grievances recommended by the Chicago Chamber of Commerce, was state senator from 1922 to 1930 and, in recent years, has sat as an impartial member on a number of vexatious film disputes

HENRY M. HERBEL, representing unaffiliated distributors on clearance and zoning, was born in Marion, Ind., on March 23, 1897 and is the husband of Gladys Walton, former Universal star now devoting her energies to married life and motherhood. He is a graduate of Indiana University with an LL.B. degree and has long been in the employ of Universal. He started with the company in 1918 as a cashier. Six years later he had risen to the western sales managership when national sales wer handled by a triumvirate composed of Ned E. Depinet, Jules Levy and Ned Marin. On Jan. 22, 1927, Herbel was appointed branch manager in Chicago. There he has remained to date.

WALTER IMMERMAN, representing affiliated first runs on clearance and

(*Continued on page* 9)

Columbia and "U" Silent on Rulin

(*Continued from page* 1)

and Fox have declared that they d agree with the NRA interpretati

The continued illness of R. Cochrane, Universal vice-preside held up a statement on that compan position in the matter, while Columl executives made no statement follo ing a discussion of the subject yest day.

Boards for 3 More Cities Said Name

(*Continued from page* 1)

naming of boards for New York a Boston.

If an agreement is reached by committee on boards for the two maining cities at the next meeting, final report will be submitted to C Authority for approval March 12.

Indies in Omaha Hit Makeup of Boar

OMAHA, March 1.—A meeting independent theatre owners in this t ritory voted today to protest all hibitor choices on the local c boards on the ground exhibit named are all M. P. T. O. memb The meeting was called by the t porary code committee named sev months ago, which, fighting a m to dissolve it, refused to accept resignations of Walter Creel and S Epstein, its M. P. T. O. members.

Resolutions were passed to orga a new association to embody all in pendents under the name Indepen Theatre Owners of the Omaha Te tory. M. P. T. O. members, re senting a minority, walked out of meeting, at which Calvin Bard of I coln was chosen chairman of a c mittee to complete plans for the organization. Bard will wire prot to Washington within the next days.

The appointment of J. J. Spanc Universal manager, to the grieva board is reported to be generally p tested by film row, especially by in pendent distributors, who are with representation.

Stage, Screen Code Groups Meet Tod

The film and legitimate Code thorities' radio committees meet to to agree on the form of protest recommendations for relief to be p sented to a committe of the radio C Authority at a joint meeting to held in Washington on Monday.

Today's meeting will be held at Code Authority headquarters in RKO building. On the committees Ed Kuykendall, Charles O'Reilly Sidney R. Kent, for films, and M cus Heiman, William Elliott Frank Gillmore, for the stage.

Chicago Boards Get Saperstein Approv

(*Continued from page* 1)

boards as announced Tuesday. pointees reached here in time to come an engrossing subject at weekly meting of Allied direct Even before the meeting went be closed doors.

Reports Vary On Code Setup In K. C. Area

(Continued from page 1)

rs anticipate numerous divisions of ual strength inspired by business iliation that will make participa- n by the impartial member neces- ry.

Disappointment over the grievance ard is expressed by Jay Means, esident of the I. T. O. and a mem- r of the board, as well as by A. F. aker, president of the K. M. T. A.; E. Weber and Fred Meyn, these ree on clearance and zoning.

Means, in addition, is not convinced at the independents receive adequate presentation on the clearance and ning board, inasmuch as he suspects at the unaffiliated first run repre- ntative has affiliated circuit connec- ons.

Independents Comment

Widespread comment is heard nong exhibitors and distributors, but iefly in independent exhibitor cir- es, to the effect that Lawrence Leh- an, representing affiliated first runs grievances, is handicapped by lack knowledge and experience in mat- rs involving smaller exhibitors and all-town operations.

It is pointed out that the grievance ard will deal with small operations a large extent and that most of e grievances will come from small wns out in the territory. For this ason, while nothing is held against ehman personally, and he can be ex- cted to render fair decisions, it is lt that he is handicapped as a mem- r of grievances, because all of his ng experience has been in metropoli- n centers. For a long time he has en RKO theatres manager in Kan- s City. An exchange executive who nnot be quoted has suggested that ehman be placed on the zoning board d Elmer C. Rhoden, Fox Midwest vision manager, switched from zon- g to Lehman's position on griev- nces.

Rhoden is familiar with small town d small theatre operations, and has en a distributor as well as exhibitor. oning is primarily a Kansas City roblem and concerns out of town ery little.

Because of illness, it is possible that ehman will ask to be excused alto- ether.

Many exhibitors and distributors pprove of the setup. William War- r, branch manager of Warners, ex- ressed the sentiments of the majority pped for reactions when he said that regardless of affiliation, the members e honest enough to render just and od decisions."

C. A. Schultz, president of Com- onwealth Theatres, unaffiliated cir- it, gives the board personnel his amp of approval.

Allen Burke, Majestic franchise older, saw no objection to any one n the boards, but added that he anted to await the boards' perform- nce before passing judgment.

WASHINGTON, March 1.—Protests f Kansas City independents against ne 10 per cent elimination clause and abor provisions of the film code are xpected to be met by Recovery Administration officials with a suggestion that an opportunity be given to see how the code actually works out before changes are discussed. At the same time the Administration is expected to point out that the code was under negotiation for many weeks, during which ample opportunity was given all interests to discuss the provisions now attacked.

The changes in the code sought by the Kansas City group, it was explained today, for the most part are of such nature that they could not be made without public hearings. They do not come within the group of changes which the Administration is considering bringing about through executive order without hearings.

Who? What? When?

(Continued from page 8)

zoning, was in the oxygen business before he became affiliated with Balaban & Katz in 1924. However, he formed an attachment for show business when, as a youth, he was a recognized violinist playing theatre engagements. Immerman played the fiddle for Sam Katz when the latter was operating the old Illinois theatre. He joined B. & K. as assistant manager of the Chicago and later was made manager. While with B. & K. he opened the Michigan in Detroit, where he spent two years. For a while he was the operating head of the Lubliner & Trinz circuit and about a year ago was made vice-president and general manager of B. & K., which post he now occupies. Immerman is 42 years old, married and the father of two boys.

JACK ROSE, representing unaffiliated exhibitors on clearance and zoning, is a veteran in the business. He was born here on May 23, 1897, and graduated from the University of Chicago with a Ph.B. degree in 19 . Progressively, he has been clerk, stenographer, private secretary, in the navy during the war, and accountant. In the film business, he was an assistant branch manager for Selznick Pictures, ditto with Film Classics of Illinois, ditto with Warners, then a salesman for Warners and for a time associated with James Coston as film buyer for the Coston booking circuit. When Warners took over the Coston string Rose formed his own booking and buying exchange. He now books the following Chicago houses through the Jack Rose booking circuit; Cameo (654 seats), E.A.R. (890), Englewood (1,282), Gaiety (759), Independence (566), Kimbark (688), Linden (780), Lucile (299), Montclare (1,200), National on 62nd st. (750), New Home (299), Palace (400), Panorama (653) and Owl (944). He operates the following on his own: Gaiety (759), Chicago; Jefferson (1,200), Indiana Harbor, Ind.; Bucklin (900), and Warners (2,200), in Elkhart, Ind.; Viv (250), and Indiana (1,200), Indiana Harbor, Ind, and Capitol (750) and Hoosier (1,500), Whiting, Ind.

JACK MILLER, representing subsequent runs on clearance and zoning, had his first taste of the amusement business in a penny arcade in Buffalo and later at the Pan American Exposition. From 1908 to 1915 he was business agent of the Chicago operators' union and has since been a recognized leader in labor affairs affecting the industry. He opened his first theatre, the Plaisance, in 1914, and now operates six houses in and around Chicago. In 1924 Miller was elected president of the Chicago Exhibitors Ass'n, which post he has held ever since. The association numbers 18 independent theatres and circuits for a total of 125 houses, foremost among the circuits being B. & K. Miller is chairman of the labor board of the M.P.T.O.A and also a member of the executive committee of that organization. He has been prominently identified with NRA and the code labor activities in recent meetings in Washington and New York. Miller operates a theatre partnership as Simansky and Miller. Their houses are: Lindy (500 seats) and Savoy (400), in Chicago; Park (1,200), in Forest Park, and Lido (2,000), in Maywood.

AARON SAPERSTEIN, representing unaffiliated subsequent runs on clearance and zoning, has run the gamut of picture experience with the exception of acting. Starting as an errand boy for the Globe Film Exchange, Saperstein went through the exchange end of the business from inspector, receiving clerk, booker, salesman, assistant manager and what have you. If licking postage stamps can be considered a part of the exchange business, Saperstein did it. He was about 14 years old when he broke in. After leaving Globe he joined Mutual as assistant manager and wound up as general manager here. Then he decided to try his own wings and operated an independent exchange for two years, from which he branched into the exhibition end at a theatre now occupied by the site of the Chicago Stadium. As an exhibitor he exposed himself to organization work with the result that his theatre holdings have dwindled to two, the Lexington (650 seats) and the Avon (762), but he was recently elected to his fifth term as president of Allied Theatres of Illinois. Before Allied was born and claimed him, Saperstein was treasurer of the local exhibitors' association, now headed by Jack Miller. He is identified with several posts in the national Allied organization. A few years ago he threw the gauntlet at the operators' union, which resulted in a theatre shutdown, bombings that drew nation-wide publicity and an aftermath of victory for Saperstein. That resulted in the greatest testimonial dinner in local history, with not only circuits, but prominent city officials as well participating.

JUDGE HUGO FRIEND, impartial member of clearance and zoning, is a circuit judge and highly regarded here.

Pacific National Cuts

WILMINGTON, March 1. — Pacific National Theatres, Inc., of Los Angeles, has reduced its capital from $507,396.70 to $150,000. A resolution authorizing a reduction of $357,396.70 was adopted by the board of directors and a majority of stockholders having voting power. The reduction was effected by reducing the amount of capital represented by outstanding shares of stock having no par value.

Russell Rogers is president and C. W. Crandall, secretary.

Board Shifts Prepared for By Authority

(Continued from page 1)

Lehman, RKO theatre manager there and originally designated representative on that city's grievance board, presages action in that direction. Portland hears Al Finkelstein of Evergreen State Theatres is not eligible on clearance and zoning, because his company no longer operates first runs in that city. Transfer of J. Harold Stevens from Indianapolis to Boston by Paramount makes another loophole.

Lehman, Ill, May Not Serve in K. C.

KANSAS CITY, March 1.—Lawrence Lehman, representing affiliated exhibitors on the grievance board, may be unable to serve because of illness. He recently underwent an operation and has returned to Menorah Hospital for treatment.

Lehman would not discuss the matter, but is quoted as saying that, unless his health would permit him to taken on the added duties, he intended to resign. He is manager of the RKO Mainstreet here.

E. E. Webber, representing unaffiliated subsequents on clearance and zoning, said he intended to be "absolutely fair and impartial," and that he purposed to see that other board members do the same and forget personal friendships in their deliberations.

Finkelstein May Go Off Portland Board

PORTLAND, Ore., March 1.—It is believed locally Al Finkelstein, representing affiliated first runs on the local clearance and zoning boards, will be replaced because he no longer operates in the city and the Liberty and Hollywood, Evergreen States theatres here are now second runs.

The Portland boards are set for their first meeting March 5. The trade here is keenly interested in dcvelopments at the initial meeting.

Elliott to Decline Code Job, He Admits

CINCINNATI, March 1.—John Elliott today confirmed earlier reports, published in MOTION PICTURE DAILY, that he will not serve on the local grievance board to which he had been appointed representative of unaffiliated exhibitors on grievances.

Paramount Changes

INDIANAPOLIS, March 1.—J. Harold Stevens, branch manager for Paramount and recently appointed to the local grievance board, has been named manager of the Paramount exchange in Boston. He will report there March 10.

Stevens was named as a representative of affiliated national distributors. Edward Ruff is now Boston manager.

Edward Ruff becomes Main manager for Paramount, headquarters in Portland. J. T. Howard, former Maine manager, succeeds Stevens in Indianapolis.

Short Subjects

"Going Spanish"
(*Educational*)

A very pleasing musical comedy short featuring Bob Hope and Leah Ray with music by Godoy's Argentine Band and some pleasant singing. Other members of the cast are Frances Halliday, Jules Epailly, Vicky Cummings and William Edmunds. It has enough of a story to keep the action going and there are some good comedy touches. Running time, 21 mins.

"Mixed Nuts"
(*M-G-M*)

Well staged and a group of good looking girls who fit a dance routine, some gymnasium stunts and a series of gags into a light story in which the government decides to do something for idle chorus girls and sends them to a finishing school. What they do to the finishing school routine furnishes the laughs. James Parrott directed, with Douglas Wakefield, Billy Nelson, Jack Barty, Don Barclay, Thelma Hill and Nora Cecil heading the cast. Running time, 18 mins.

"Managed Money"
(*Educational*)

Junior Coughlan and Shirley Temple, with a boy named Harry Myers put on a very good little story that ought to get by with grownups as well as youngsters. Having been told his father can't afford to send him to military school, Junior and the other boy, with Shirley as a stowaway in the back of the Ford, go out into the desert looking for gold. They find Huntley Gordon, instead, and he happens to be the head of the military school. Running time, 19½ mins.

"'Tis Spring"
(*Vitaphone*)

Done in Technicolor, and with Hugh Herbert, Allen Jenkins, Ruth Donnelly and Patricia Ellis, this short is swell entertainment. It is a miniature musical comedy, with a girls' school as the setting. Herbert and Jenkins, as two tramps posing as professors, aided by Miss Donnelly as the head mistress, hand out the laughs. The Vitaphone Girls do their usual good dance routines, and Patricia Ellis sings surprisingly well. Running time, 20 mins.

Hope of Tax Repeal Increasing in Ohio

COLUMBUS, March 1.—Developments last week give rise to the belief that repeal of the 10 per cent amusement tax may not be as far distant as may appear on the surface.

It is learned from sources believed reliable that the special taxation commission, charged with drafting alternate taxation plans during the recess of the legislature, has directed its experts to prepare their bills from which the alternate tax program will largely be builded, and to include therein a measure to repeal the selective sales tax. This includes an impost on amusements, malt, soft drinks and cosmetics.

It is altogether likely that a gross receipts tax will be recommended in opposition to the administration's present sales tax, according to those said to be in the know.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Transient Love"
(*Radio*)

HOLLYWOOD, March 1.—"Transient Love," sparkling sophisticated comedy drama of the upper strata, unravels a serio-comic marital mixup abounding in laugh provoking situations and smart dialogue.

Irene Dunne subordinates her artistic accomplishments on piano and palette for her love for her husband, Ralph Bellamy. Their brief marital discord impinges when Constance Cummings, Bellamy's former fiancée, enters the picture.

Kay Johnson and Charles Starrett, friends of the other couple, try to dissuade the young adventuress from her sprightly plan to split the happy wedlock, but fail when Miss Cummings corners Bellamy alone, goading him to the point of asking Miss Dunne for a divorce.

Irene refuses, and in an endeavor to save the wreckage, suggests considering the request in six months, knowing intuitively the adventuress is playing a game.

Climaxing a 10-day play for Bellamy, Miss Cummings is finally caught in his arms by Miss Dunne, who discards her passive attitude, promising to drag their names through the divorce mire and naming her as co-respondent.

Miss Cummings, her plan exploded, hits the climax when Bellamy finds her in the arms of Sidney Blackmer, a friend she discovered in a speakeasy.

With the married duo reunited at home to settle a few differences, Miss Cummings proceeds to marry her newly found boy friend, who turns out to be a young millionaire.

All players gave good performances. John Cromwell directed well.

Sprightly dialogue and well-etched characterizations lift this one for general audience appeal. Preview patrons enjoyed hearty laughs from the sophisticated situations and connubial persiflage.

"Registered Nurse"
(*Warners*)

HOLLYWOOD, March 1.—Neat direction, casting and tempered performances fortify "Registered Nurse" with plenty of interest. The picture is human, sincere.

Sylvia Benton (Bebe Daniels) is about to divorce her husband, Jim (Gordon Westcott), when he loses his mind following an automobile accident. She then returns to her former profession, nursing, and falls in love with Dr. Connolly (Lyle Talbot).

Jim contrives escape from the sanatorium and comes to the hospital asking Dr. Hedwig (John Halliday) to perform an operation on his brain, an operation which will mean life as a normal man, or death. The morning before the operation, Sylvestrie (Sidney Toler), a patient in the hospital who has become attached to Sylvia, visits Jim. Pretending he doesn't know he is Sylvia's husband, he suggests suicide for such a husband as the solution to her problem. Jim jumps from the ninth story of the hospital. Dr. Connolly has, by this time, proved himself a playboy and Sylvia succumbs to the devotion of Dr. Hedwig.

Casting is well balanced. Miss Daniels plays with understanding. Sidney Toler and Irene Franklin, as a pair of the "hobo rich" are delightful. Westcott gives a near perfect performance and Halliday gives distinction to his role. Others affording splendid support are Minna Gombel, Mayo Methot, Ed Gargan, Virginia Sale, Vince Barnett, Renee Whitney and Ronnie Crosby. Robert Florey directed.

"Lazy Rivers"
(*M-G-M*)

HOLLYWOOD, March 1.—Melodrama full of well-known hokum thrills, set in the quaint shrimp-raising region of Louisiana, points "Lazy River" toward a good reception in subsequent runs in smaller towns.

Three yeggs, refusing to take part in a jailbreak, are freed. One, Robert Young, goes to the home of a jailbird pal killed in the break with the intent to rob his mother, Maude Eburne. Two other mugs, Ted Healy and Nat Pendleton, arrive to help him. The three, coming to steal, remain to rid the community of a Chinese smuggling menace and supply the cash to pay off the mother's mortgage. Young, in the meantime, has fallen for Jean Parker, the sister of the dead jailbreaker.

While the plot is old-fashioned, Director George Seitz has given the film plenty of thrills, action and comedy. Healy and Pendleton make a swell team, supplying many laughs, with Irene Franklin as a French cook aiding in this direction, also. The picturesque settings add to the film's beauty, as do the romantic scenes between Young and Miss Parker.

(*Additional previews on page* 11)

Short Subjects

"The Super Snooper"
(*Educational*)

Andy Clyde does a variation of h usual routine. His daughter, Add McPhail, has the same boy frie more than three days running, a Clyde gets himself a job as a hot porter to see what it is all about.

While serving as porter he ge mixed up in a jewel robbery, is a rested and banged around by his pro pective son-in-law, a detective, play by Jason Robards. It could be fu nier. Running time, 18 mins.

"Git Along Little Wifie"
(*Educational*)

An uninteresting short that doesn seem to get going, hindered furth by a weak story and poor acting. Co cerns a man who can't pay alimo to his first wife, and consequent finds her living with him and his se ond wife, and his final escape fr her designs. Running time, 18 mi

"Cubby's Picnic"
(*Van Beuren-Radio*)

An amusing cartoon, one of t Cubby, the Bear, series, with Cub leading the band in an amuseme park, and winding up fighting a swa of mosquitoes. Running time, 6 mi

"Keeps Raining All the Time"
(*Paramount*)

Featuring Gertrude Niessen, rad warbler, singing "Stormy Weathe and set off by a cartoon version of t "Three Bears," this short is good e tertainment. Running time, 8 mins.

"Business Is a Pleasure"
(*Vitaphone*)

An amusing short done in Tech color, showing how a department st can be put on a paying basis by se ing things to the tune of popul songs. The photography is goo da the three songs are catchy. The Vit phone Girls do their usual interesti dance numbers. Running time, mins.

Toronto Court Ends Theatre Difficult

TORONTO, March 1.—The alleg theatre war ended here wh Judge Parker sentenced Gord Duncan to a term of 15 months on charge of striking Angel Lest owner of the King. The charge instigating against Irving Field, pr prietor of the Duchess and a rival e hibitor, was dismissed. Pete Ri ledge, confessed accomplice of Du can, was ordered held for medical e amination by the court and senten was deferred.

Denver 'Changes to Fight License Hik

DENVER, March 1.—Schedule of pr posed license fees for this year wo raise fees assessed on film exchang from $40 to $100 a year. This boo amounting to 150 per cent, will fought by the Film Board of Tra A similar proposal a year ago w defeated.

arn $4,704,950 in Period of 6 Years

(*Continued from page* 1)

ew's totalled $515,525 and his bo- ses, $1,218,604. Total from Loew's: ,734,129. His salary from M- M for the same period was $291,- 0 and his bonuses, zero. Total from ew's: $291,700. Grand total both mpanies: $2,025,829.

Bernstein's six-year salary from ew's totaled $515,320 and his bo- ses, $731,161. Total for Loew's: ,246,481. His salary from M-G-M r five years totaled $287,640 and nuses, zero. Total from M-G-M, 87,640. Grand total both compa- es: $1,534,121.

Arthur M. Loew's six-year salary om Loew's totaled $572,500 and his nuses, zero. His salary from M- M was geared identically, making grand total from both companies of ,145,000 and a combined total for ree executives of $4,704,950.

WASHINGTON, March 1.—Howard ughes, producer of "Hell's Angels," as been paid $50,000 a year since 28, first as president and director d later as chairman of the board of e Hughes Tool Co., Federal Trade ommission figures on salaries show.

alary Data Study Delay Is Expected

WASHINGTON, March 1.—The amuse- ents division of the Recovery Ad- inistration will not be in a position make an exhaustive analysis of the lary data submitted by the country's rporations for some time, it was id yesterday. Preliminary analysis is ing made but complete figures will ave to await the receipt of question- aires not yet returned by some of e large companies.

ctors to Get Out Magazine on Coast

HOLLYWOOD, March 1.—Actors now ropose to become publishers. They tend to reach their public as they ink they should reach it and not as me editor thinks it should be done. A monthly magazine is to be unched by the Actors' Guild about arch 15. It will contain text appeal- g to the guild membership and will so be intended for newsstand sale ith a fan and semi-trade appeal. lenty of art work is planned.

The editorial board includes Ann arding, Fredric March, Robert ontgomery, Lucille Gleason and enneth Thomson. The advertising ill be confined to non-professionals.

ranklin Lines Up Initial Production

(*Continued from page* 1)

hased rights of "Battleship Gertie," y Frederick Hazlitt Brennan and will rst stage it as a play, later as a pic- ure. The story ran in *Liberty* as The Saga of Battleship Gertie."

Warners Sued on Story

PHILADELPHIA, March 1.—Plagiar- m in "Son of a Sailor" is charged gainst Warners and First National n a suit filed in U. S. District Court ere by Edward A. Lynch. He claims hat his story, "When Homer Comes Marching Home," was rejected by the tudios, but material from it was lifted.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Bottoms Up"

(Fox)

HOLLYWOOD, March 1.—Entertainment in happy, snappy vein, based on behind screen farcical situations, blending romance and music with laughs and uncovering a new screen personality in Pat Patterson, makes "Bottoms Up" a sure-fire show.

Three out-of-work mugs, Spencer Tracy, a quick talker; Sid Silvers, a song plugger, and Herbert Mundin, a penman from the "pen," decide to launch a beauty contest winner stranded in Hollywood. Palming her off as a daughter of Lord Brockelhurst, with Mundin as her father, Tracy's campaign inveigles a Hollywood social climber, Thelma Todd, to wine and dine Miss Patterson, which publicity lands her a contract at Harry Green's studio with the boys edging in for the gravy also.

Miss Patterson sings, dances and acts well. With more confidence she should make a niche for herself. The comedy of Silvers, Green and Mundin is of the hilarious, belly variety. John Boles handles the romance and singing well. Tracy does a fine job as the sacrificing lover. Originality marks the technique, with inverted camera shots linking to the title.

"Bottoms Up" number about depression and "Waiting at the Gate for Kittie," a gay nineties extravaganza, are both standouts. David Butler directed with sly, smooth assurance from a smart story by himself, Buddy DeSylva and Sid Silvers. Aside from a few risque scenes, the production is darn good entertainment.

"Come On Marines"

(Paramount)

HOLLYWOOD, March 1.—Plenty of vigor and tang in this swell, rowdy comedy about a marine who is nix on dames. Demoted and sent to the Philippines, Marine Dick Arlen, with his squad, is assigned to rescue some American children surrounded by the outlaw, Celano, tough hombre of the jungle. The children, bathing when marines arrive, turn out to be society buds Ida Lupino, Toby Wing, Lona Andre, Gwenllian Gill and other beauties, chaperoned by Virginia Hammond.

Various comedy situations of marines with the gals are topped by the tense sequence of the soldiers, dressed in girls' garb, decoying Celano and using machine guns in the approved marine manner.

Arlen turns in a top-notch performance, seconded by Roscoe Karns as a corporal always getting himself into trouble and his squad out of it. Miss Lupino, romantic lead, is a tempting dish, but getting plumper. Grace Bradley's dance is hotcha, maybe too hot for censor sectors.

Henry Hathaway's direction and screenplay by Byron Morgan and Joel Sayre are of high order. Contrived for laughter, the production moves rapidly for sure-fire entertainment.

"Jimmy, the Gent"

(Warners)

HOLLYWOOD, March 1.—Ambulance chasing, bail bond brokerages and other nefarious practices have been exposed in pictures, but 'Jimmy, the Gent" gives something new and original in revealing the twists of two competing genealogist firms who search family trees and locate heirs to unclaimed fortunes. Jimmy Cagney heads one and Alan Dinehart the other with Bette Davis in the center. Treated humorously, the novel situations evolve a bang-up, fast moving comedy, general in appeal to evoke laughter from almost any type of audience.

The story, an original from the pens of Laird Doyle and Ray Nazarro, is typical of Cagney. He fits in naturally to the situations. Allen Jenkins, as chief henchman in the Cagney camp, shares acting honors, with the balance of the supporting cast including Alice White, Phillip Reed, Hobart Cavanaugh, Mayo Methot, Ralfe Harolde, Philip Faversham, Arthur Hohl and Nora Lane.

Dinehart sets the pace by maintaining a swanky establishment and a superiority complex, which doesn't bother Cagney until he finds his secretary, Bette Davis, has switched over to the rival camp. It is here that Dinehart establishes himself as the suave menace in trying to stifle the love Miss Davis has for Cagney, who, although less polished and more crude in his practice than Dinehart, finally outwits the "Great I Am."

Michael Curtiz directed from Bertram Milhauser's script.

"David Harum," yesterday's opener at the Music Hall, was reviewed by wire from Hollywood on Feb. 27.

"Queen Christina," today's opener at the Capitol, was reviewed on Dec. 27.

"Ninth Guest," this morning's opener at the Roxy, was reviewed by wire from the coast on Feb. 10.

Unplayed Shorts Selling Problem

(*Continued from page* 1)

tives that in the past exhibitors have overbought on shorts in some instances and in others have been oversold on them. Contributing reasons, it was said, have been exhibitors' desire to make the best possible feature deal, and this has been facilitated by his taking all the shorts handled by the company whose features he sought. On the other side of the deal has been the film salesman who wanted to close every account for the maximum amount of his company's product.

With this situation duplicated by several companies' output, the exhibitor, at the end of his buying season, found himself with more shorts than he could use. The result was defaulted short subject contracts and hundreds of unplayed but contracted for subjects at the season's end. The unplayed portions of the contracts were utilized by both distributor and exhibitor as bargaining factors in arriving at terms for the new season's product.

Next season's contemplated production curtailment would take up some of the slack resulting from these practices without reducing distributors' revenue, it is said, as the unplayed pictures, obviously, have not been revenue producers.

K. C. Independents Urge Code Changes

KANSAS CITY, March 1.—Code changes have been recommended to Administrator Hugh S. Johnson in a three-page letter sent to him by the I.T.O. The independents want more eliminations than the 10 per cent allowed by the code. Cancellation methods also are criticized.

Changes are asked in the labor provisions with respect to salary conditions. The purpose of this is to crystallize the local dispute. Clarification of the giveaway clause is also sought to determine whether a 75 per cent effective vote against the practice applies to cities or territories. Most city exhibitors here favor them and a majority in the territory outside the city limits is opposed.

U. S. Statistics Soon On Amusement Field

(*Continued from page* 1)

will be issued in the near future by the U. S. Census Bureau.

As a result of the bureau's investigation, the first ever to be made by the Government in this field, amusement interests will learn just what has happened since 1929. They will be shown eventually the extent of changes in attendance in the various sections of the country and much other data of direct application.

Find Duplicate Assents

Duplicates in assents to the code which may lessen the total number of assents by approximately 100 have been discovered by Code Authority and the entire list of more than 9,000 assents is now being checked for further duplications. The duplicates occurred where circuit theatre assents were executed by parent companies and by individual theatres. Assents prior to discovery of the duplications numbered approximately 9,200.

Revolution IN COMEDY MAKING



E. W. Hammons PRESENTS

BOB HOPE and **LEAH RAY** IN

"going Spanish"

A Musical Comedy

An AL CHRISTIE Production

Educational Pictures

"THE SPICE OF THE PROGRAM"

Distributed in U.S.A. by

FOX Film Corporation

The old rule in comedy making is dethroned. Two-reel comedies as *Educational* makes them in 1934 must have not only all the laughs of old, but much more besides. They have big box-office names; they have romance and music, more lavish settings and finer stories. It is this rare new combination of entertainment and ticket selling values that makes such pictures as "GOING SPANISH" so important for you to play and exploit.

* *

"Classy . . . A very pretentious two-reel musical comedy featuring Bob Hope and Leah Ray. Two very promising newcomers to the screen . . . Hope is a real comedian, and the girl looks like a sure bet . . . Three good song numbers . . . Produced by Al Christie with a lot of originality and fine kidding humor that is refreshingly different."

—*Film Daily.*

* *

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 35. NO. 51 NEW YORK, SATURDAY, MARCH 3, 1934 TEN CENTS

Stage, Films Want End of Radio Shows

Will Present Demand at Washington Session

Stage and film Code Authority committees will ask the elimination of free admissions to radio broadcasts staged in theatres when they meet Monday with a committee of the radio Code Authority in Washington, it was decided at a meeting yesterday.

Dr. Henry Moskowitz, executive secretary of the stage Code Authority, represented that body at yesterday's meeting with Ed Kuykendall and John C. Flinn at film Code Authority headquarters in the RKO building. A memorandum to be presented to a

(*Continued on page 2*)

More Film Salaries Divulged by Senate

WASHINGTON, March 2.—Additional salaries of executives identified with the film industry, as furnished the Senate by the Federal Trade Commission follow:

Pathe Exchange

ELMER PEARSON
Vice-President

Year	Salary	Bonus
1928	$53,437	....

JOSEPH P. KENNEDY
Chairman of Board

Year	Salary	Bonus
1929	$104,000	....
1930	44,000	....

(*Continued on page 2*)

Tariff Bill Held Film Export Help

WASHINGTON, March 2.—Enactment of tariff legislation introduced today in the House will give the President a weapon with which to break down

(*Continued on page 4*)

Even in Nassau

James R. Grainger returned from a West Indies cruise yesterday, full of sunshine and amazement over the fact that double features have even caught on in Nassau.

Allied Seeking Authority And Code Board Changes

WASHINGTON, March 2.—Suggestions for changes in the makeup of the Code Authority and local boards which would add unaffiliated exhibitor representatives to each, together with suggestions for changes in the code itself and for an investigation of trade practices by Administration representatives are contained in the brief filed by Allied States at the NRA public hearings here, it was disclosed today.

The Allied proposals ask the removal from the Code Authority of Ed Kuykendall, M. P. T. O. A. president, as a representative of unaffiliated exhibitors on the grounds that Kuykendall "has shown his bias and unfitness to serve by intemperate public utterances and by his conduct as a member of the Code Authority." The brief asks that "at least two additional unaffiliated independent exhibitor representatives be added to the Code Authority."

Division Administrator Sol A. Rosenblatt is also a target of the brief, which sets forth that "allegations of prejudice made Oct. 31 against Rosenblatt have been fortified by a speech made by him at Atlanta in October and by his admissions in the presence of Administrator Hugh S. Johnson on Oct. 31." The brief asks that two

(*Continued on page 4*)

May Buy Pathe

Du Pont interests may either buy out Pathe Exchange or its interest in Du Pont Film Manufacturing Corp., according to financial writers. Pathe owns a 49 per cent interest in Du Pont.

Financial observers credit Du Pont negotiations with the current activity in Pathe stock, which established a new high at 20⅝ yesterday.

Promotions to Four More RKO Officials

Promotions to Merian C. Cooper, Jules Levy, Pandro S. Berman and Phil Reisman were voted yesterday at a meeting of the directorate of RKO Radio Pictures and subsidiaries. Cooper was elevated to the vice-presidency of RKO Radio Pictures in charge of production. Levy received the post of vice-president of RKO Distributing Corp. Berman was made executive producer and a vice-presi-

(*Continued on page 4*)

Oriental, Chicago, Goes to Vaudefilm

CHICAGO, March 2.—Balaban & Katz today inaugurates a new policy for the Oriental by adding six acts of vaudeville to the screen fare and reducing admission prices. The change places the Oriental in a direct bid for business against Jones, Linick & Schaefer's State-Lake, which has been doing a heavy business with a com-

(*Continued on page 2*)

Phila. Premium Men Join for Protection

PHILADELPHIA, March 2.—Independent exhibitors here whose theatres have been using premiums plan to form an association for the purpose of carrying a fight for the retention of the policy to the NRA, it was learned today.

Oklahomans Pleased By Setup of Boards

OKLAHOMA CITY, March 2.—Apparently the board setup in this locality is entirely satisfactory. A number of representative exhibitors and distributers who have been questioned approve the boards' personnel.

Following are the opinions of representative executives:

Otto Rode, branch manager of Warners: "I think the present selection of code board personnel is abso-

(*Continued on page 2*)

Boards in New York Named Tentatively

Tentative clearance and zoning and grievance boards for New York have been set by the Code Authority committee on selections. With Boston, Washington and San Francisco boards agreed upon earlier, Philadelphia remains the only city under consideration by the committee. An agreement on the two local boards for Philadel-

(*Continued on page 2*)

Ontario Amusement Tax Total $904,591

TORONTO, March 2.—Ontario amusement tax collections last year totaled $904,591, stated Premier G. S. Henry in the Legislature here today. This was a decrease from the year before. Returns during the past four

(*Continued on page 2*)

Lasting NRA Believed Aim Of President

Expected to State His Attitude Monday

WASHINGTON, March 2. — That President Roosevelt will favor making the NRA a permanent governmental institution when he speaks Monday before assembled code authorities and officials is the expression gaining ground here. He is also expected to report on the first year's activities under industry codes.

Criticisms of the NRA which have been heard for two days by Administrator Hugh S. Johnson have virtually come to an end and Monday's address by the President will inaugurate a series of meetings designed to lay out a program for NRA changes and reforms.

Considerable talk is heard about a

(*Continued on page 2*)

Code Group Going To NRA Gathering

Seven members or alternates of Code Authority and Executive Secretary John C. Flinn leave here tomorrow night for Washington to attend the forums of code authorities of all industries, which open Monday.

Those scheduled to make the trip in addition to Flinn are: Charles L. O'Reilly, Nathan Yamins, W. Ray Johnston, Ed Kuykendall, J. Robert Rubin, who is alternate for Nicholas M. Schenck; Harold S. Bare-

(*Continued on page 2*)

"U" Joins Fight on Cancellation Rule

Universal yesterday took an official stand with five other leading distributors who do not agree with Division Administrator Rosenblatt's ruling that the 10 per cent cancellation clause became effective Dec. 7, even on contracts signed prior to that date.

Officials of Universal stated their disagreement with Rosenblatt's ruling,

(*Continued on page 2*)

Who? What? When?

Tenth instalment of the biographies of the men who make up the code boards appears on page 4 today.

MOTION PICTURE DAILY

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Oriental, Chicago, Goes to Vaudefilm

(*Continued from page* 1)

bined screen and vaudeville program.

The Oriental's initial bill comprises Paramount's "8 Girls in a Boat" and Slate Brothers, Libonatti Trio, Brems, Fitz & Murphy Bros., Collette Lyons, Robbins Trio and Pete, Peaches & Duke on stage.

Ontario Amusement Tax Total $904,591

(*Continued from page* 1)

months, however, have been so promising that budget estimates for this years from this revenue source are placed at $1,800,000, an estimated increase of more than 11 per cent.

L. G. Dolliver Dead

SAN FRANCISCO, March 2.—Lester G. Dolliver, head of the Western Theatrical Equipment Co., died suddenly yesterday following a heart attack. He was well known in the supply field in this territory. Prior to 1929 he was western district manager for National Theatre Supply Corp. At the time of his death he was also vice-president of the Independent Theatre Supply Dealers' Ass'n.

Sam Zerilla Dead

MEMPHIS, March 2.—Sam Zerilla, 63, owner of the Grand and Daisy, died Tuesday afternoon in Methodist Hospital here. A native Italian, Zerilla had lived in this country since 1900. He was a clarinetist with Sousa's band for three years, entering the film business after coming to Memphis in 1906.

Code Group Going To NRA Gathering

(*Continued from page* 1)

ford, alternate for Harry M. Warner, and George Schaefer.

Flinn will present the Code Authority's report to Administrator Hugh S. Johnson and various groups of the delegation will attend forums on trade practices, small enterprises and minorities, and code administration. The delegation is expected back in New York Friday.

Oklahomans Pleased By Setup of Boards

(*Continued from page* 1)

lutely a fair representation of all in this state."

F. A. Higdon, Fox branch manager: "A finer group of men could not be found to represent the industry here. Undoubtedly these men will hand down decisions which will be fair to all."

R. I. Payne, manager of Universal: "If I were an exhibitor I would be perfectly satisfied to let these men handle any question of mine on which they might have to pass. I believe they will be fair to all."

Sol Davis, Monogram manager: "I am satisfied with the board personnel. It is a fair representation."

Morris Lowenstein, president, Theatre Owners of Oklahoma: "The industry in Oklahoma is well represented, both independently and otherwise. I certainly believe it is fair."

L. F. Stocker of Columbia says all the theatre men he has talked to have been entirely satisfied.

Block Booking Fight Pushed in Delaware

WILMINGTON, March 2.—An anti-block booking campaign is being mapped here by A. J. De Fiori, local exhibitor and head of the I.M.P.T.O. of Delaware. De Fiori is carrying the campaign to women's clubs.

Para. Group in Monday

Ralph Kohn, Sam Dembow, Jr., and Y. Frank Freeman, who conducted a meeting of Paramount theatre operating partners of the southeastern territory in Jacksonville during the week, are expected back in New York on Monday.

Believe Lasting NRA Aim of President

(*Continued from page* 1)

36-hour week for all industries. Some, it is believed, may go under this maximum.

Practically all cabinet officials and many others in high Government positions are expected to attend, as it is believed the President's address will inaugurate a new program for enforcement of code provisions, the guarantee of labor's right to collective bargaining and a more definite program to prevent profiteering and unfair price-raising.

"U" Joins Fight on Cancellation Rule

(*Continued from page* 1)

to which exceptions had already been taken by Fox, M-G-M, Paramount, RKO and Warners. Columbia's stand remained undefined yesterday, although all indications point to the same stand as that taken by the other companies.

Union Ushers Stage Milwaukee Walkout

MILWAUKEE, March 2.—Protesting against working conditions which permit a maximum salary of $10 for a seven-day week, ushers affiliated with Theatre Cashiers', Doormen's and Ushers' Union, Local No. 19,159, are on strike here. Employes in 80 per cent of the houses here are members of the union, which is affiliated with the A. F. of L.

Boards in New York Named Tentatively

(*Continued from page* 1)

phia is expected at the next meeting of the committee, March 9, in time for ratification of all remaining boards by Code Authority on March 12.

Hays Goes to Florida

Will H. Hays and wife left yesterday for a week's vacation at Miami Beach, Fla.

Stocks on Big Board Up

	High	Low	Close	Net Change	Sales
Consolidated Film Industries, pfd	16¾	16¾	16¾	+ ¾	500
Eastman Kodak	91	90	91	+1¾	400
Fox Film "A"	15½	15⅜	15½	+1	1,100
Loew's, Inc.	32⅞	31⅞	32⅞	+1¼	21,000
Loew's, Inc., pfd	90	90	90	+ ⅛	100
Paramount, cts	5¼	5	5⅛	+ ⅛	15,100
Pathe Exchange	4¼	3⅞	3⅞	.....	34,800
Pathe Exchange "A"	21⅜	20⅜	20⅝	+ ⅛	9,200
RKO	3⅞	3½	3¾	+ ¼	10,400
Universal Pictures, pfd	28	28	28	+ ⅞	1,000
Warner Bros.	7¼	7	7¼	+ ¼	6,800

Technicolor Down ⅛ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	9½	9⅜	9⅜	— ⅛	2,000

Most Bonds Take Spurt

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	10½	9½	10	+ ⅜	45
General Theatre Equipment 6s '40, ctf	10¼	9¼	9¾	+1½	9
Keith B. F. 6s '46	62½	62½	62½	+ ¼	1
Loew's 6s '41, ww deb rights	95½	95½	95½	— ¼	1
Paramount Broadway 5½s '51	36	36	36	— ½	5
Paramount F. L. 6s '47	47	46¾	46¾	+1¼	14
Paramount Publix 5½s '50	47¾	46½	47½	+ ½	25
Pathe 7s '37, ww	93	93	93	+ ½	2
RKO 6s '41, pp	34	34	34	+ ½	1
Warner Bros. 6s '39, wd	55⅞	55¼	55½	+ ½	21

Stage, Films Want End of Radio Show

(*Continued from page* 1)

committee representing the ra Code Authority was drawn up, s ting forth that the free admissions theatre broadcasts were considered be unfair competition. The memora dum charges that the practice is c tributing to unemployment by do away with theatrical stage emplo where radio occupies a theatre wh ordinarily would house film or st plays. It declares that the Huds Theatre here, now used for free t atrical broadcasts by Columbia Bro casting System, formerly contribu from $50,000 to $60,000 annually wages to theatrical employes.

The estimate is made in the mer randum that from 80,000 to 100, persons attend the free broadcasts nually and that the number will crease materially if the practice is restricted at once.

More Film Salaries Divulged by Sena

(*Continued from page* 1)

RCA

ALFRED N. GOLDSMITH
Vice-President

Year	Salary	Bo
1929	$12,000	$3
1930	18,000	
1931	18,000	
1932	16,500	

RKO

EDWARD F. ALBEE
President, Director

Year	Salary	B
1928	$56,999	
1929	.....	

H. S. BROWN
President, Director

Year	Salary	B
1928	$6.707	
1929	75,000	
1930	75,000	
1931	100,000	
1932	80,000	

HAROLD B. FRANKLIN
Vice-President, Director

Year	Salary	B
1932	$60,100	
1933	50,000	

B. B. KAHANE
Vice-President, Director

Year	Salary	E
1928	$22,500	
1929	31,250	
1930	35,000	
1931	40,000	
1932	46,418	
1933	50,000	

JOSEPH PLUNKETT
Vice-President, Director

Year	Salary	J
1929	$50,000...	
1930	50,000	
1931	50,000	
1932	23,625	

DAVID SARNOFF
Chairman of Board

Year	Salary	J
1928	.....	
1929	$50,000	
1930	50,000	
1931	50,000	
1932	37,000	

Used in 7 out of 8

American Pictures in

"1933's TEN BEST"

OF THE Ten Best Pictures of 1933 chosen in the *Film Daily's* poll, eight were American productions. Of those eight, seven were photographed on Eastman "Gray-Back." This is outstanding evidence of the acceptance enjoyed by Eastman Super-Sensitive Panchromatic Negative among cameramen and producers . . . and a signal tribute to the versatility and unfailingly high quality of the film itself. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN *Super-Sensitive*

Panchromatic Negative (Gray-Backed)

Detroit

DETROIT, March 2.—FRED NORTH, representing affiliated national distributors on the Detroit grievance board, has spent practically all of his film life in this territory. From 1918 to 1922, he was branch manager for Famous Players, the forerunner of Paramount, and in 1922 became manager here for the original First National. He has been with that company and its successor, Warners, since that date and currently is an acting divisional manager with Detroit, Cincinnati, Cleveland, Indianapolis and Pittsburgh his charge.

SAM SEPLOWIN, representing unaffiliated distributors on grievances, is general manager of Graphic Exchanges, Inc., distributors in this territory for Monogram. He has been in the business about 10 years and always associated with Jack Berkowitz of Standard Film of Buffalo, where Seplowin operated prior to his coming here three years ago.

ED. C. BEATTY, representing affiliated exhibitors on grievances, is general manager of the W. S. Butterfield Circuit and has occupied that post for some time. The circuit operates theatres throughout Michigan and Northern Ohio. Paramount owns about 30 per cent of the outstanding preferred stock of the circuit and RKO also owns a small stock interest in it, about 25 per cent. Beatty is well known in film and theatre circles throughout this territory, has been associated with Butterfield from the early years of the latter's entrance into exhibition and served with him throughout the organization of the circuit. While Butterfield is the nominal head, Beatty is the actual operator.

The Butterfield interests dot the state thickly. Under the corporate entity known as W. S. Butterfield Theatres, Inc., are 67 houses and 75,550 seats. Butterfield Michigan Theatres Co. operates 16 theatres, seating 11,762. In the first company are grouped the following: Ann Arbor (four theatres), Battle Creek (four), Bay City (three), Flint (four), Grand Haven (one), Grand Rapids (five), Hillsdale (one), Holland (three), Ionia (two), Jackson (four), Kalamazoo (three), Lansing (five), Monroe (two), Muskegon (five), Niles (one), Owosso (two), Pontiac (six), Port Huron (three), Saginaw (six), South Haven (one) and Ypsilanti (two). The second company has these: Adrian (two), Alpena (two), Benton Harbor (two), Big Rapids (one), Cadillac (two), Ludington (two), Manistee (two), St. Joseph (one), Three Rivers (one) and Travers City (one).

EDGAR E. KIRCHNER, representing unaffiliated exhibitors on grievances, is treasurer of Allied Theatres of Michigan and manager of the Family, which seats 930. The theatre is owned by the Harris Amusement Co. of Pittsburgh.

KENNETH C. WEBER, impartial member on grievances, is a well known attorney.

NAT LEVY, representing affiliated national distributors on clearance and zoning, was born in Rochester, N. Y., in 1898. From 1921 to 1924, he was sales manager for Universal in Toronto and from '24 to '27, sales manager for the same company in Philadelphia. During the following two years, Levy ran "U's" office in Albany and on Dec. 26, 1929, came to RKO in Philadelphia. Two years later, or on March 2, 1931, the company transferred him to Detroit, where he is in charge of that exchange. He has been here since that date. Nat is a brother of Jules, general sales manager of RKO, and is married.

CARL H. SHALIT, representing unaffiliated distributors on clearance and zoning, has been Columbia manager here since July 28, 1930, and prior to that ran an exchange for Tiffany. Most of his film experience centers in the Detroit territory. From time to time, he has been active on the local Film Board and has played a considerable part in territorial arbitration. Shalit stands in well with Columbia's home-office executives.

GEORGE W. TRENDLE, representing affiliated first runs on clearance and zoning, is a pioneer Detroit exhibitor and now Paramount's operating partner here. He was one of the founders and organizers of the Kunsk-Trendle circuit, which held some of the largest and most important houses in the city. The circuit was acquired by Publix in 1927 under a deal which retired both Trendle and John Kunsky, his partner, from exhibition activity anywhere in the state. Following the Paramount bankruptcy that provision was waived and he was made an operating partner on a 10-month deal which expires next August. The deal returned the former circuit to Trendle's management.

The Publix theatres now are operated as the United Detroit Theatres Corp. and control most of the houses around Grand Circus Park, which is Detroit's Times Square. In the circuit are the Annex (1,824 seats), Eastown (2,500), Fisher (2,975), Michigan (4,038), Ramona (2,000), State (3,000), United Artists (2,070) and Birmingham (1,500), in Birmingham. The company controls 22,70 seats.

JAMES MINTER, representing unaffiliated first runs on clearance and zoning, is a member of the board of Allied Theatres of Michigan. He is the operator of the Ritz (1,250 seats) and Family (350) in Flint and the Minter (650) in Owosso. The latter is his home town.

JAMES C. RITTER, representing unaffiliated subsequent runs on clearance and zoning, is a former national president of Allied States, a member of Allied Theatres of Michigan and for years has been prominent in the affairs of both the national and state organizations. He operates three theatres, all in Detroit. They are the Rialto (1,334 seats), the Rivoli (1,010) and the Boulevard (400).

ALLEN JOHNSON, second exhibitor representing unaffiliated subsequent runs on clearance and zoning, was born in Chicago on May 10, 189 Prior to his entrance into the theatre business, he was a sales engineer and a sales supervisor for the Industrial Weighing, Counting and Testing Devices. He has owned and operated theatres for the last eight years, and today runs the Royal (602 seats) and the Our (700), in Grand Rapids. He is a member of the board of directors of Allied Theatres of Michigan and prominent in the affairs of this state unit, which is an affiliate of Allied States.

H. A. HARRINGTON, impartial member on clearance and zoning, is secretary of the arbitration committee the Detroit Board of Commerce.

Who? What? When?

Tenth instalment in a biographical series on the men who make up the code boards.

Promotions to Four More RKO Officials

(Continued from page 1)

dent of RKO Studios. Reisman is now vice-president of the RKO Export Corp.

Confirmed was the appointment of J. R. McDonough to the presidency of RKO Radio Pictures, of B. B. Kahane to the presidency of RKO Studios and of Ned E. Depinet to the presidency of RKO Distributing Corp., as announced in MOTION PICTURE DAILY on Feb. 16.

All of these officials hold corresponding positions with RKO Pathe.

M. H. Aylesworth, chairman of the board, revealed Kahane had decided to devote all his time to studio operations instead of adhering to his original plan to divide his attention between Hollywood and the east. He said the changes were made at Kahane's suggestion and would give the organization a more logical setup, with Kahane in charge of operations in Hollywood, Depinet in charge of sales and distribution and McDonough supervising all operations, with headquarters in New York but visiting the studios frequently.

Riot Shots Banned

CHICAGO, March 2.—All riot shots in newsreels have been banned by police here on the ground they might stir up trouble.

Allied Seeking Authority And Code Board Changes

(Continued from page 1)

additional representatives of the Administrator, to have equal standing with Rosenblatt, be added to Code Authority.

Allied also suggests that local clearance and zoning boards be enlarged by at least two additional unaffiliated subsequent run exhibitors, and that at least one additional unaffiliated exhibitor be added to local grievance boards.

Changes in the code itself suggested in the brief call for elimination of the provision by which distributors may refuse film service to any exhibitor found guilty by a local grievance board of a violation of the code clause prohibiting reduction of admission prices by giveaways, rebates and similar practices, and the elimination of the clause which establishes minimum wages for operators on the basis of the prevailing scale as of July 1. In place of the latter clause, Allied's brief suggests a substitute which would make the minimum wage equal to the specific wage projectionists were paid by individual theatres on July 1, on the assumption that, by collective bargaining, some theatres were enabled to pay wages at that time which were less than the "prevailing" union scales. It also suggests that where theatres did not contract with organized operators at that time the minimum wage should be that specified for mechanical employes in the President's Emergency Reemployment Agreement.

Also suggested is a "thorough investigation of all trade practices in the industry by the Administration representatives on Code Authority," who would be instructed to make a report and recommendations within 90 days.

Allied's brief renews the complaints made by it in memoranda submitted to General Johnson in September and October, which were based on the organization's code analysis and its objections to the third code draft submitted by Rosenblatt, Oct. 31. The brief takes particular exception to the makeup of the Code Authority and the local boards, all of which are described in the brief as "dominated by the sellers and producer-exhibitors."

Roxy Goes Abroad

Samuel L. (Roxy) Rothafel sailed last night on the *Olympic* for a three-week vacation in Europe. He expects to return by March 21 for the start of his vaudeville tour.

Tariff Bill Held Film Export Help

(Continued from page 1)

the barriers erected against American pictures by various foreign governments.

Under the bill the President would be authorized to increase or reduce existing duties by not exceeding per cent as a means of consummating reciprocal trade agreements with other governments. No provision is made, however, for the transfer of commodities between the free and dutiable lists. Introduction of the bill followed receipt at the capitol of a message from the President, in which he pointed out that other countries are safeguarding their foreign trade by reciprocal trade agreements.

Accounting Ordered For Nudist Picture

An interlocutory decree for an accounting of profits on "This Nude World" will be entered within the next few days, it was stated in an opinion handed down in Supreme Court at Mineola, L. I., yesterday following trial of a suit brought by Mike Mindlin, producer of the picture, against Herman Robbins, Toby Gruen and George Dembow, who, Mindlin declares, financed the production.

Mindlin's suit charged he had a contract which called for a percentage of the profits.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

OL. 35. NO. 52 NEW YORK, MONDAY, MARCH 5, 1934 TEN CENTS

Chicago Film Men Pleased With Boards

rong Praise Given to Judge Hugo Friend

CHICAGO, March 4.—Personnel of grievance and clearance and zon- boards, tipped off to the trade lusively by MOTION PICTURE ILY, represents a satisfactory setup opinions gathered from local film les.

eneral high praise is sounded for selection of Judge Hugo Friend the Circuit Court as the impartial iter on clearance and zoning. ether or not the name of Lowell Mason as the impartial party on

(Continued on page 10)

ode Conferees to ote Upon Changes

VASHINGTON, March 4.—Industry gations attending the NRA con- nces here will be allowed to vote oad questions of policy as a guide coming changes, it has been ned. Nearly 3,500 members of 400 e authorities are expected.

iscussions will get under way fol- ing President Roosevelt's address orrow.

here will be no legal status to the s, but the tallies will be used as

(Continued on page 15)

ortland's Board Appointees Liked

ORTLAND, March 4.—General sat- ction is expressed among distrib- s and sales executives here over makeup of the clearance and zon- and grievance boards. All the are well known and practically of those who have commented thus commend them.

he grievance board includes

(Continued on page 10)

ore Film Salaries Released in Capital

ASHINGTON, March 4.—Further ry and bonus information about utives of film companies disclosed the Federal Trade Commission's rts shows the following payments: niversal—Lou B. Metzger, general manager and director: 1928, 050; 1929, $51,966, and 1930, 666. Phil Reisman, sales manager

(Continued on page 15)

Claims a New Sound System; Not on Market

Cincinnati Musician Is the Inventor

COLUMBUS, O., March 4.—A new sound system, which the inventor, Theodore Lindenberg, local musician, claims is radically different from anything ever devised for sound reproduction, is being tested at the Grandview, neighborhood house, which Lindenberg has taken over as "a final laboratory experiment."

The system is not on the market. What method of reproduction is used is being kept secret. It is known, however, that there is no projection. The reproduction is said to filter through the theatre without use of horns or speakers of any type. It is

(Continued on page 15)

Point Out 75% Vote Can Save Premiums

PHILADELPHIA, March 4.—If spokesmen for a group which is endeavoring to organize premium-users in this territory to make a fight for approval of the policy by the NRA are correct in their statements that 75 per cent of the exhibitors in this territory are sympathetic to the policy, there will be no need for them to carry their

(Continued on page 15)

Tax Disagreements In Ohio Reported

COLUMBUS, March 4.—On the eve of the reconvening of the special session of the General Assembly, scheduled for Tuesday, ominous rumblings are heard of warfare between independent and affiliated exhibitor factions over the amusement tax and the differential of its application.

Independents are said to be con-

(Continued on page 15)

Hurley Heading For Para. Studio "G. M."

LA QUINTA, Cal., March 4.—Harold Hurley, now a Paramount supervisor, is heading toward general management of the studio, the post formerly filled by M. C. Levee. The decision is expected to be reached before a week-end conference of the studio's entire executive staff here breaks up. Plans for the new season are being discussed, also.

Pa. Bans Magnesia

Harrisburg, March 4.—Magnesia has joined nuts and nerts as words that cannot be spoken from Pennsylvania screens. In a scene of "It Happened One Night" the wife awakes to find one of the lovers has departed. She attributes her awakening to the fact that she has taken magnesia, but the censors said nay. It may be all right in other states, but not Pennsylvania.

Jobs Gaining, Grosses Rise In Four Spots

CLEVELAND, March 4.—Employment in the Cleveland district is at the highest point in four years, according to the Chamber of Commerce. A survey conducted by that body of 100 representative firms showed employment of 59,840, an increase of 2,261 over the previous high mark set in August, and 17,362 above the low point last March. The increases, according to the survey, have been distributed over every line of industry.

COLUMBUS, March 4.—January employment in Ohio increased 26 per cent over the same month of last year, although there was a 2.9 per cent de-

(Continued on page 15)

Zirn's Para. Bond Petition Set Aside

Petitions brought against Paramount Publix by Samuel Zirn, attorney for Robert Levy, a Paramount bondholder, and involving an action to have set aside Paramount's $13,200,000 bank transaction of 1932, were denied Saturday by the Appellate Division of the N. Y. Supreme Court.

An order was signed by Justices Merrell, Martin O'Malley and Untermyer affirming the decisions of the

(Continued on page 15)

Start Confabs For Studio Labor Pact

HOLLYWOOD, March 4.—Union leaders were in a huddle yesterday and today on a new basic studio agreement to replace the pact which runs out March 14.

The situation has been muddled because of the jurisdictional fight be-

(Continued on page 15)

Studios Plan Big Reception To the MPTOA

Exhibitor Contacts Held An Aid to Producers

HOLLYWOOD, March 4.—Every effort is being made through the Producers' Association to line up major studios behind a program of entertainment for members of the M. P. T. O. A. at the annual convention here April 10 to 12.

It is pretty generally agreed that contact between all branches of the production end of the business—executives, directors and talent—with exhibitors from all sections of the country will be mutually helpful, and for

(Continued on page 10)

Chicago Newsreel Ban Is Rescinded

CHICAGO, March 4.—Chicago's police department censor board yesterday lifted its ban on newsreel shots of the Socialist rebellion in Vienna, revealing that the police censors had not viewed the shots themselves, but had banned them after reading a description of the shots in a newsreel release notice.

Police Sergeant Harry Costello, in charge of the censorship division, declared following a showing of the clips that there was nothing objectionable about them. The shots were those of the shelling of the Karl Marx apartment building in Vienna.

Chicago newspapers rushed to the

(Continued on page 15)

Hays Office Files "Narcotic" Protest

HOLLYWOOD, March 4.—Claiming direct violation of the production and advertising code, the Hays office here has wired a complaint to the New York office against the picture "Narcotic," produced by Duane Esper and now showing at the President theatre.

Advertising copy in the Los Angeles dailies is held to be salacious.

No protest had been received at the New York office on Saturday.

Who? What? When?

Eleventh instalment of the biographies of the men who make up the code boards appears on pages 13 and 14 today.

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Subscription rates per year: $6 in the Americas, except Canada $15 and foreign $12. Single copies: 10 cents.

New Pact for Gable

HOLLYWOOD, March 4.—Although Clark Gable's contract has several months to run, M-G-M has drawn a new one with a tilt in salary for him to sign when he returns from his personal appearance tour. Three pictures are slated for him—"Manhattan Melodrama," "Little Napoleon," based on the life of John McGraw, and "China Seas."

May Allison Quirk Wed

ELKTON, Md., March 4.—May Allison Quirk, widow of James R. Quirk, former publisher of *Photoplay*, has been married here to Carl N. Osborne of Cleveland.

MOTION PICTURE ALMANAC

1934-35

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Insiders' Outlook

SOL ROSENBLATT, who has had 20 years of industry strife dumped in his laps in much fewer months, hasn't a tougher one to solve than the most amicable way of handling the agents' situation in Hollywood. This may be news to the division administrator, by the way. Most employers and employes are death on agents, who know it well enough and, therefore, draw the conclusion justice won't be easy for them to get at the hands of a committee—proposed—of a producer, writer, actor, technician and agent. . . .

▼

The agents already have doped it out that it's a case of four votes to their own one in any such setup. The majority of producers prefer to deal directly with the employe, figuring the studio will come off best in any resulting deal. The employe, by custom, hires an agent to land work for him at the best possible terms. Sometimes it takes years of effort and expense to put a personality over and, more often than not, the agent ends up as excess baggage, holding a contract for commission which Hollywood wiseacres declare can be busted wide open on innumerable counts. . . .

▼

The code, as now drawn, provides that the employe may bring any given case before a board of five, personnel as above. That, agents maintain, is unfair. Typical case, all factual but minus names, is this: A certain agent, at his own expense, tested an actor who had enjoyed moderate success on the New York stage and arranged for a major producer to take a look. The producer ignored the agent, went into a dicker with the principal and closed a deal via long-distance phone. The agent subsequently presented his claim for commission. Actor and producer both testified in court the agent had nothing to do with the transaction. Actor and producer won. In Hollywood, this is cited as typical of many which have gone before. . . .

One of the national sales managers has issued the strictest of injunctions to his crew against the use of grosses in the sale of product. The idea, laudable on the part of this sales executive, is that the spirit, as well as the letter of the code, must be maintained. His instructions, as a consequence, are so comprehensive they practically tie the managers' and the salesmen's hands against reverting to the long-established practice of telling the exhibitor how So-and-So did so much money in Blank town last week. The penalty is instant dismissal. On the other hand, selling demons are permitted to mention grosses without any tag as to theatre. Which reminds of Willie Collier's line: "Here we are, but where are we?" . . .

▼

Another major has under serious study a hike in percentage deals. It's all predicated on the theory business is better now and theatres able to stand an increase. Much, incidentally, has been said and talked re the status of theatre business. Conservative opinion maintains it is a fact grosses have improved somewhere between 12 and 15 per cent as compared with like days in '33. This is what the other side of the national telescope shows. In some territories it's much better than that. Take Miami and environs, for instance. . . .

▼

Don't look for fireworks out of Washington and the general parley of code authorities this week. None on schedule, although it's best not to be too emphatic about such matters. . . . "All Quiet" reissue will be ready shortly. . . . McLaglen and Lowe do another Quirt and Flagg in "No More Women," this time mostly under sea. Vic is known as Forty Fathoms, a diver, but a Swede comedy relief in the picture insists on changing the vowel to the first letter of the alphabet with results supposed to be funny, but not. . . .

KANN

Trading Light on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures vtc	24¼	24¼	24¼	.....	100
Consolidated Film Industries	4¾	4¾	4¾	+ 5/8	200
Consolidated Film Industries, pfd	16½	16½	16½	— ¼	100
Fox Film "A"	15¾	15½	15½	.....	100
Loew's, Inc.	32⅞	32⅛	32⅛	— ¾	5,000
Paramount Publix	5¼	5	5⅛	.....	4,600
Pathe Exchange	4	3⅞	3⅞	.....	4,900
Pathe Exchange "A"	20¼	19⅞	20⅛	— ½	1,800
RKO	4	3⅞	3⅞	+ ⅛	7,000
Warner Bros.	7⅛	7⅛	7⅛	— ⅛	500

Paramount Publix Bonds Up One

	High	Low	Close	Net Change	Sales
General Theatres Equipment 6s '40	11	10½	10¾	+ ¾	31
General Theatres Equipment 6s '40 ctf	10¼	9¾	9¾	.....	22
Loew's 6s '41 ww deb rights	96	95⅞	95⅞	+ ⅜	15
Paramount Broadway 5½s '51	36	36	36	.....	5
Paramount Publix 5½s, '50	48¾	48	48½	+1	32
Warner Bros. 6s '39 wd	55½	55½	55½	.....	14

Purely Personal

JOE HUMMEL, general forei sales manager for Warners, l arrived in Johannesburg, South Afri on his round-the-world business t His next stop will be Singapore.

DAVE PALFREYMAN figures on t ing in the M.P.T.O.A. convention Los Angeles next month. To MUTO, ditto, only he will fly.

ARTHUR AYIESWORTH, stage cor dian, has been signed by Warners will leave for the coast in about days.

HOWARD DIETZ is due in tomorr from Hollywood and may h HOWARD STRICKLING in tow.

RITZ BROTHERS have been enga by Educational for AL CHRISTIE'S m musical comedy short.

ROWLAND BROWN has arrived at Warwick on his way to Europe to rect an English picture.

DOUG FAIRBANKS, JR., will d stage play in London opposite G TRUDE LAWRENCE.

LAWYER BILL FITELSON hits t shores again from Europe on Thu day.

JAMES R. GRAINGER goes to coast again in April, date not set.

BOB SISK is contemplating—v relish—a trip to Florida.

R. H. COCHRANE'S health ha been so good of late.

HAL HORNE still ill. May go s to catch sunshine.

JULES LEVY started west yester via the Canal.

GEORGE SCHAEFER not back f Florida yet.

Warners Put on Six For Trade Showin

Warners will put on their sp trade showing in all exchanges morrow both in this country Canada. In each key city arra ments have been made for out-of-t visitors at hotels, and luncheons radio broadcasts are included in programs The pictures to be sh are: "Wonder Bar," "Journal c Crime," "As the Earth Tur "Jimmy, the Gent," "Gambling La and "Harold Teen."

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GREAT NEWS FOR



SHORT LOVERS

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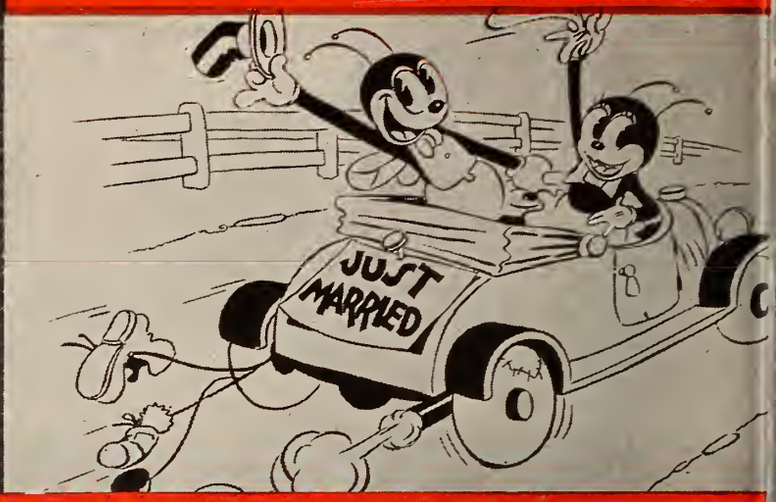


VITAPHONE SALES TOP LAST SEASON'S RECORD FIGURES BY MORE THAN FIFTY PER CENT!



BEN BLUE HAILED AS LEADING "SHORT" COMIC IN HIS FIRST THREE VITAPHONE RELEASES

"HONEYMOON HOTEL," LATEST MERRIE MELODY, MARK INTRODUCTION OF FULL COLOR IN VITAPHONE CARTOON



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WATCH FOR "MOROCCO NIGHTS," LATEST AND GR EST TECHNICOLOR, WITH BUZ BERKELEY GI





OOROTHY STONE, GUS SHY, COMING SOON IN 3-REEL "LOOK FOR THE SILVER LINING," FROM "SALLY"



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NVAS OF KEY HOUSES PROVES SUPERIOR SELLING
WER OF VITAPHONE'S PRODUCER-MADE TRAILERS

Short Subjects

"Vaudeville Days"
(*Mentone-Universal*)

This short brings to the screen a number of prominent vaudeville artists, each of whom gives a sample of his or her specialty. Among them are Sibyl Bowan, Peter Higgins, Jack Seymour, Elsie and Herman, Kay and Jimmy and Ann Lester. All right. Running time, 21 mins.

"Owl and Pussy Cat"
(*Educational*)

This is good kid entertainment. It is one of the "Terry-Toon" series, with a prospective wedding of two cats interrupted by the old man. It is followed by an elopement with the mice doing chorus formations. It has incidental music. Running time, 5½ mins.

"Hollywood on Parade"
(*Paramount*)

Number B-7 of the series features Shipwreck Kelly, flagpole sitter, and the usual quota of stars, including Joe E. Brown, Mary Pickford, Charlie Chaplin, Richard Barthelmess, William Powell, Carole Lombard, Lupe Velez and Edmund Lowe. Good entertainment. Running time, 11 mins.

"Sock-a-Bye-Baby"
(*Paramount*)

Popeye, the Sailor, again on the rampage. In this one he is trying to put a small child to sleep, and to keep things quiet. To stop various noises, he wrecks buildings, cars, and even sinks a ship. Amusing, but weak compared to others of the series. Running time, 7 mins.

"The Wrong, Wrong Trail"
(*Vitaphone*)

With Block and Sully, vaude stars, this one is a howl. Jesse Block as an amateur detective finds himself investigating a case in a sanitarium for the mentally deficient. Eve Sully, as a nurse, combines with him to hand out the laughs. Running time, 10 mins.

"Spanish America"
(*Vitaphone*)

An entertaining and instructive E. M. Newman "Musical Journey" that deals with the native customs of Havana and Panama, rather than presenting the unual stock scenic shots. Running time, 10 mins.

"Goofie Movies" No. 2
(*M-G-M*)

Second of the burlesque newsreel series. It shows the landing of Columbus in costumes of the period followed by a Broadway reception with ticker tape, and some other burlesque clips. Good for a few laughs. Running time, 10 mins.

"The Toy Shoppe"
(*Lanz-Universal*)

Oswald this time appears as a toy-maker. One night after he goes to bed the toys come to life, some behaving themselves nicely and some not. There is a row over a lovely Dutch doll. The fuss awakens Oswald, who gets to the shop only to find a broken jack-in-the-box as mute evidence of what has happened. The idea has been used repeatedly in cartoons, but it still retains some entertainment quality. Running time, 7 mins.

Looking 'Em Over

"The Dream of My People"
(*Palestine-American Film Co.*)

Instructive and entertaining at the same time, "The Dream of My People" is a travelogue tracing the history of Palestine, ancient and modern. The film is a tribute to Jewish enterprise. To have been able to conquer the shifting sands of the Holy Land and build on so insecure a foundation communities to rival those of the western world is indeed an achievement to be proud of.

The picture creates the feeling that, while life in Palestine may be hard, it is simple and wholesome and full of contentment. It is certainly a strange impression to see the old and the new abiding side by side. Never before has there been offered so comprehensive a film record of present-day existence in the Holy Land. The photography has made the record extremely easy to contemplate. It is an interesting experience to view the places which are so bound up with the life of Christ and the history of Israel.

Important to the film must be considered the voice of the late Cantor Joseph Rosenblatt, who was deeply reverenced by his race. He is shown in person and heard singing at intervals traditional Hebrew tunes beautifully and expressive with feeling.

There is a running commentary in English. The picture is chiefly valuable in dense centers of Jewish population.

"Texas Tornado"
(*First Division*)

The rustlers are at it again, this time in "Texas Tornado," a Willis Kent production. And if they ever got a nastier beating, there is no recollection of it. In this instance, the beating is administered primarily by Lane Chandler, whose knuckles must have been pretty raw by the time he got through with the job. In truth, "Texas Tornado" is one slam-bang fight after another, which means there is never a dull moment in the whole of it, even though the story is old and decrepit.

Chandler is a Texas Ranger out to break up a rustling gang. He passes himself off as a Chicago yegg (Mike Brand) whom he had captured while the latter was on his way to join the outfit. The gang is trying to get hold of the ranch operated by Doris Hill's uncle by stealing his cattle, thereby forcing him to fall down on his payments on the property. The reason they want it is that the government plans to buy it for an irrigation project. The gang sets Chandler to work on the ranch. When it is discovered what he is up to, they turn on the fireworks. But Chandler comes out on top and gets Miss Hill as his personal reward.

Oliver Drake directed the production, which has among its other players Frank Glendon, Ben Corbett and Yakima Canutt.

"Mystery Liner"
(*Monogram*)

Who is trying to steal the secret of remote control of ships by radio and the means by which they break the necks of two men and nearly poison another furnish all the mystery and whatever there is of dramatic interest in the story.

The love element is minor, although in two or three scenes there seems to be some rivalry between the first and second officers of the ship for the affections of Astrid Allwyn, a trained nurse.

After a series of introductory scenes the story seems about set to get started somewhere, but somehow or other never actually does.

After Noah Beery, the captain, has supposedly been taken off and sent to an asylum the ship puts to sea with an assortment of passengers for a test of the radio control apparatus. Edwin Maxwell is supposed to be a detective trying to solve the attempted murder of the inventor. Gustav von Seyffertitz is suspected as a foreigner looking for control of the apparatus. Beery pops out of the darkness like a ghost. There is a lot of running around and going through secret panels.

Additional reviews on page 7.

"Knife of the Party"
(*Van Beuren-RKO*) . .

This has names, a surprising variety of scenes and some good looking girls as well as incidental music by Meyer Davis' Orchestra. The names include Lillian Miles, Jack Good, Shemp Howard, James Fox, Charles Senna, Rogers & Anthony, the Girl Friends, Gertrude Mudge and Leo Kennedy.

The story is light—a traveling stage unit is stuck when the customers pay their admissions in vegetables and they have to work out their hotel bill. Some of the gags are good. Running time, 20 mins.

Short Subjects

"Babes in the Goods"
(*M-G-M*)

It's a burlesque on one of thos window demonstrations where a coupl of girls contrast hand dishwashin with the electric machine process. A closing time Thelma Todd and Pats Kelly are sent in to substitute for th two regular demonstrators. They ge the dishes in a laundry machine an pull a number of gags while Arthu Housman out front occupies the cente of the crowd. They are locked in an are forced to go to bed in the furni ture display window. Plenty of fu and quite some lingerie displaye Running time, 19 mins.

"Let's All Sing Like th Birdies"
(*Paramount*)

An amusing Screen Song featurin Les Reis and Artie Dunn, radio song sters and comedians, with their ver sion of the popular song, "Let's A Sing Like the Birdies." Runnin time, 7 mins.

"Picture Palace"
(*Vitaphone*)

A very entertaining short subje starring Hal LeRoy and Dawn O'Da It has comedy, music and the swe dancing of the two stars. Jack Fu ton, of radio fame, is also feature The plot, though miniature, cou easily have been worked into a fe ture. Running time, 21 mins.

"Full Coverage"
(*Warren Doane-Universal*)

Henry Armetta takes out an insu ance policy from his brother-in-la When he hears the latter and his wi talking about killing a dog which h been giving a lot of trouble, Armet thinks they are referring to him. A the two steal into the bedroom to gi the dog the works, he goes for the with a shotgun. Fairly entertainin Running time, 21 mins.

"Trav'lling the Road"
(*Educational*)

Practically all the action is la among a group of hoboes cooking night alongside a railroad track, wi varying shots of moving trains c in while the group sings. Alexand Gray does a number of songs and joined by the Ritz Quartet. It w produced by Al Christie. Mildly e tertaining. Running time, 9½ min

"Vital Victuals"
(*M-G-M*)

Has considerable woman appeal, l cause it gives some tips about cooki and at the same time is good ente tainment for the men, because t girls in the cooking class are go lookers. Paul Porcasi is amusing the chef. The number is done Technicolor with remarks by P Smith. Has a lot of producti value. Running time, 20 mins.

"Where's Elmer?"
(*Universal*)

Big shot gangster, Dewey Robi son, decides to beat it to avoid bei put on the spot and leaves Vince Ba nett in charge of the gang. Barn stops a bullet coming from the re and when he gets his hospital bill decides hospitals are a racket. J and the gang buy the institution. T

(*Continued on page 10*)

Chicago Tips $38,000 Take To "Carolina"

CHICAGO, March 4. — "Carolina" oved the best box-office bet of the eek, boosting the gross at B. & 's Chicago to $38,000 for the week. ext to take the public fancy was Hi, Nellie," which gave the Mc-ickers a strong $12,500. "Devil ger" at the Roosevelt pulled plenty customers to drag in $9,000. Business at other spots was indif-rent, the Oriental holding to six ys of the third week with "Queen ristina" and United Artists doing ewise with "Nana." In the final ek the Garbo opus nosed out ana" by some $2,000. Total first run business was $104,-0. Average is $137,000. Estimated takings:

Week Ending Feb. 21:
"NANA" (U. A.)
NITED ARTISTS—(1,700), 30c-40c-60c, week, 7 days. **Gross,** $9,000. (Average, ,000.

Week Ending Feb. 22:
"CAROLINA" (Fox)
HICAGO—(4,000), 35c-50c-68c, 7 days. ge: Doris Kenyon, Eddie Garr, Lewis Van. **Gross:** $38,000. (Average, $34,-

"I AM SUZANNE" (Fox)
ALACE—(2,509), 35c-50c-75c, 7 days. ge: Jack Haley, Benny Rubin, Sylvia os & others. **Gross:** $18,000. (Aver-, $22,000.)

Week Ending Feb. 23:
"HI, NELLIE" (Warners)
cVICKERS—(2,284), 30c-40c-60c, 7 s. **Gross:** $12,500. (Average, $13,000.)
"QUEEN CHRISTINA" (M-G-M)
RIENTAL—(3,940), 30c-40c-60c, 3rd k, 7 days. **Gross:** $11,000. (Average, 000.)
"DEVIL TIGER" (Fox)
OOSEVELT—(1,591), 25c-35c-50c, 7 s. **Gross:** $9,000. (Average, $11,000.)

Week Ending Feb. 24:
"BEFORE MIDNIGHT" (Col.)
TATE-LAKE—(2,776), 20c-25c-35c, 7 s. Stage: Lew Park and Gang. **Gross:** 000. (Average, $17,000.)

rench Company May Make Pictures Here

ilm Union, S. A., distributors of dio pictures in France, Belgium and itzerland, may enter the production d in this country, turning out nch versions of American films, it s revealed here yesterday by Valde-r D. Bell, the firm's official repre-tative in the United States. Plans that end are now under considera-n and if favorable action is taken duction facilities will be set up on coast.

his information followed on the ls of an announcement made by re Chalus, directing head of Film on, before sailing for home re-tly after conferences with officials Radio Pictures, that an American nch would be established in the nch Building in Radio City to dis-ute French pictures in this coun-and to serve as a contact between erican and French film interests. ell also disclosed that Film Union toying with the idea of acquir-a New York house for the exhibi-of productions made in France. said the first French picture to distributed by the company in the ted States would be a talking pic-version of the Cervantes classic, n Quixote," with Chaliapin in the e part. Vandor Film Co. is the ducer.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Honor of the West"
(Universal)

HOLLYWOOD, March 4.—Ken Maynard, portraying a dual role, appears as the sheriff and his zero-moraled brother in this story of the early west.

The brother runs a grocery store and becomes implicated with a gang in a safe robbery and makes a getaway with Ken's girl, a part played by Cecilia Parker, who has plenty of allure. The sheriff loses his badge and is held by part of the gang. He escapes and heads for the bandits' hideout. After several hair-raising chases, he arrives in time to find the girl battling against the advances of the gang chief, gets both the money and the girl and makes the usual getaway. The brother, who has been wounded defending the girl from insults from the bandit, fires a cave of dynamite, blowing himself and the gang to parts unknown. All ends happily for the sheriff and his gal.

Maynard is his usual self, but in this case is doubly so because of the extra work called for by the dual characters. He is ably supported by Fred Kohler, Frank Hagney and Jack Rockwell. Good performances are also given by Jim Marcus, Al Smith, Eddie Barnes and Franklin Farnum. Alan James did a nice job of directing with good photography by Ted McCord.

"Harold Teen"
(Warners)

HOLLYWOOD, March 4.—"Harold Teen," translated to the screen from the cartoon strip of the same title, emerges on film as light entertainment.

Retaining some of the quality of the pen and ink characters, representing adolescents of high school age, the film adds a modern trend to the back stage plot with high school kids in their amateur show.

A moon calf love between Harold Teen (Hal LeRoy) and Lillums (Rochelle Hudson) hits the rocks when a local banker, Snatcher (Douglas Dumbrille), takes an interest in Rochelle. The banker's daughter, Mimi (Patricia Ellis), can't see a stepmother younger than herself. When Snatcher sends Lillums a beautiful wedding gown to be worn in a stage show number, "Collegiate Wedding," Mimi runs out on her stage role, leaving LeRoy to cover up the stage wait by his clog dance and a kiss fadeout with Lillums. LeRoy's clog is a feature of the film.

The production is mildly amusing, has some gay scenes, and may please followers of the cartoon strip.

Hold Chicago Union Man After Shooting

CHICAGO, March 4.—Clyde Osterberg, bodyguard for Tom Maloy, head of the operators' union, is held by the police on a charge of assault with attempt to murder. The warrant was sworn out by Emmet Quinn, steward of the union, who was shot through the thumb.

Several months ago Osterberg charged that he had been beaten up by Quinn in the union offices. He is alleged to have gotten into an argument with Quinn near the union headquarters at Congress St. and Wabash Ave. last Friday night.

Felipe Mier in Town

Felipe Mier, Warner-First National manager in Mexico, is in town for conferences with Karl MacDonald, Latin American division manager, at the home office. He will be here about a week.

W. C. Fields Sells Story

HOLLYWOOD, March 4. — W. C. Fields has sold his original story, "Greasepaint," to Paramount. Fields will also have a starring role.

Educational-Amity Dismissal Refused

The Appellate Division on Saturday upheld a N. Y. Supreme Court order denying a motion by Educational to dismiss an action for an accounting of profits brought against it by Amity Pictures, and ordered the case to an early trial.

Amity acquired the rights to Tiffany pictures and alleges in its complaint that money is due it on certain Tiffany releases distributed by Educational. E. W. Hammons is now under examination before trial by Fitelson & Mayers, attorneys for Amity.

Goldstein Closes Deal

E. H. Goldstein, executive vice-president of Majestic Pictures, has closed a deal for all the serial rights on "Unknown Blonde," now running in the *Mirror*, so that it can be published in papers throughout the country.

Wallace-Erpi Deal On

HOLLYWOOD, March 4. — Pending completion of arrangements whereby he will direct one or more pictures to be financed by Erpi, Richard Wallace is back to direct one production for either Fox or RKO.

N. O. Independents Protest Two Names

NEW ORLEANS, March 4.—Independent exhibitors, according to Henry Lazarus, operator of the Newcomb, Wonderland and Coliseum, have protested to Administrator Hugh S. Johnson regarding the appointment of Ber Kiern, owner of the Happy Hour, to the grievance board on the ground that he is not an independent, but is affiliated with a circuit.

Protests have also been made against Herbert J. Schwartz, also on the grievance board, as he is president of the Maison Blanche Co., which owns stock in radio station WSMB.

Quittner Appeal as Pauper Not Granted

An order denying Joseph Quittner, Middletown, N. Y., exhibitor, the right to appeal as a pauper the $5,000,-000 anti-trust suit brought by him against major companies and the M.P.P.D.A. last year, was issued Saturday by Federal Judge Francis G. Caffey "without prejudice" to his making a similar appeal again in either the U. S. District Court or the U. S. Circuit Court of Appeals.

Graham & Reynolds, attorneys for Quittner, stated Saturday that the petition would be made in the circuit court sometime this week. The petition to appeal as a pauper seeks leave to bring the case to the higher court without printing the voluminous record of the trial in Federal district court here.

Lightman Summons Tri-State's Board

MEMPHIS, March 4.—M. A. Lightman, president, has called the board of directors of M. P. T. O. of Arkansas, Mississippi and Tennessee into session at Hotel Chisca here next Tuesday to make plans for the semi-annual Tri-State convention.

The convention will probably be held April 1-2 in advance of the national meeting in Los Angeles. Ed Kuykendall, national president, is expected to attend.

The program will include code board discussions and a consideration of the relations of the new Independent Theatre Owners of Arkansas to M. P. T. O.

Hits $750 on Opening

DALLAS, March 4.—"As the Earth Turns" got off to a big start at the Melba, doing $750 the opening night, which was Friday. Nearest approach is reported to be the opening of "Roman Scandals" at $690.

Tracy Eyes London

HOLLYWOOD, March 4.—Lee Tracy is considering an offer from British International and probably will accept, leaving for London around April 1.

Yaffa Resumes Control

Harmon Yaffa has resumed control of the Gem and Majestic on Washington Heights and is no longer connected with Lee Ochs.

Sign Dolores Del Rio

HOLLYWOOD, March 4. — Warners have signed Dolores Del Rio to a long-term contract, effective after one more for Radio.



Produced by Carl Laemmle, Jr., from the book by Erich Maria Remarque. Directed by Lewis Milestone. Presented by Carl Laemmle.

STEP OUT WITH UNIVERSAL

Another great stroke of showmanship by UNIVERSAL . . . re-releasing NOW the greatest WAR picture ever produced . . . giving you the opportunity to tune your theatre in to the current world-wide wave of war talk! . . . Handle this picture like a SHOWMAN right now and you'll CLEAN UP! . . . New ad mats tying up to the present now ready! . . . New paper! . . . EVERYTHING to make it easy for YOU!

ALL QUIET ON THE WESTERN FRONT

Chicago Film Men Pleased With Boards

(Continued from page 1)

grievances is equally satisfactory left some room for doubt. Mason, state senator from 1922 to 1930 and said to have been recommended by the Chamber of Commerce, has in past years sat in on half a dozen film cases in a similar capacity. Whether he could be regarded as a strictly "impartial" representative was questioned in certain quarters.

Otherwise the general feeling prevails that now that the boards are named the most important consideration is to get their functioning started. What differences of opinion actually exist over the personnel are minor and individual, and both circuit and independent exhibitors are of a mind to give the boards every opportunity to work out local problems on an equitable basis.

Portland's Board Appointees Liked

(Continued from page 1)

Charles F. Powers, Fox; Howard Mapes, Star Film Exchange; J. J. Parker, long head of the Broadway and United Artists theatres, and Guy Matthews, exhibitor at Dalles, Ore.

Members of the clearance and zoning board are all well known here. They are personally popular and those who comment believe their decisions will be fair. Louis Amacher is a veteran at the M-G-M exchange; James Beals is Columbia manager; Andrew Saso is manager of Hamrick's Music Box. George Jackson and William Cutts are also well liked.

The only note of criticism is over the naming of Al Finkelstein of Evergreen State on the ground that he heads a second run circuit and is absent in Seattle most of the time.

Amateur Movie Book Out

William J. Shannon, secretary of Moorefield & Shannon, Nutley, N. J., publishers, has turned out a 219-page book called "Movie Making Made Easy" in which he details nine years of experience as an amateur movie maker. He covers the field from the selection and care of cameras to the completed product, including the making of Kodacolor films. In the 26 chapters the amateur is told how to load his camera, how to light his subjects, to develop, print and project his film; how to organize amateur clubs, prepare scenarios, make titles and animations, etc. Shannon says there are 300,000 amateurs with 16 and 8 mm. cameras and the book is intended to solve their problems. —J. M. J.

Levine Forms Company

M. Leon Levine, builder and one-time operator of the Windsor and Senate in Brooklyn, has formed Central Distributors to engage in distribution and film financing. Domestic release is planned via the state rights market.

Chambers, Joffee Move

KANSAS CITY, March 4.—Stanley Chambers, for a numbers of years in a managerial capacity with Fox Midwest and Fox West Coast, has been named manager of the first-run Fox Uptown here. Barney Joffee, whom Chambers succeeds, may be transferred to Wichita as Fox city manager.

Gorrel Acquires Product

DENVER, March 4.—Al Gorrel has taken the Denver territory for "Elysia," "Eat 'Em Alive," Edwin C. Hill shorts and Master Art productions. Some of these he will also sell in the Salt Lake territory.

Form New Exchange

KANSAS CITY, March 4.—Herman and Phil Silverman have closed the Independent Film Corp. and are now doing business as the Silent Film Exchange. The Independent firm, owned by Joe Silverman of Dallas, a third brother, was a flourishing distributor before talking pictures reduced its possibilities.

M-G-M Holds Ralston

HOLLYWOOD, March 4.—M-G-M has taken up an option on Esther Ralston's contract. She is now being tested for a role in the Joan Crawford picture, "Sadie McKee."

Looking Over Shorts

"Where's Elmer?"

(Universal)

(Continued from page 6)

gang goes out and gets the patients by running into automobiles with a heavy car, throwing banana peels around and using other strong arm methods. Plenty of laughs. Running time, 20 mins.

"Big City Fantasy"

(Vitaphone)

Featuring Phil Spitalny and his orchestra, this is one of the best of the "Melody Master" series. By clever arrangements, popular, modern and Russian music is woven into one tune. Running time, 10 mins.

"Mushrooms"

(Vitaphone)

With Harry Gribbon and Shemp Howard, this one falls just short of being a laugh riot. With Gribbon as a connoisseur of mushrooms, and with Howard as a guest in his home, they should panic any audience. Running time, 17 mins.

"Strange As It Seems"

(Universal)

This is No. 37 of the John Hix novelties, and pretty entertaining it is. Shown are an artist who works with his hands and his feet simultaneously, the training of police dogs to lead the blind, a duck employed as a pet and a number of equally strange realities. Running time, 10 mins.

"Just an Echo"

(Paramount)

With Bing Crosby and Mary Kornman, aided by the comedy of Vernon Dent, this is a pip of a short. Crosby, as a forest ranger, sings several songs, including the popular "Just an Echo in the Valley." With a miniature plot, good acting and swell comedy, this should go well anywhere. Running time, 20 mins.

"Love on a Ladder"

(Radio)

Florence Lake tries to get Edgar Kennedy to restore the love tactics of his youth on their 10th wedding anniversary. He gets out his old sailor suit and guitar and is about to climb a ladder to her bedroom when the volunteer firemen, in passing, drag him into a billiard tournament. After a series of happenings he rescues his mother-in-law from a hotel window by mistake. It's quite funny. Running time, 18 mins.

"Jolly Good Fellows"

(Van Beuren-RKO)

O. Soglow's cartoon king descends from his throne and decides to visit the royal prison. On his way he falls out of the royal coach and rides in on a bicycle in a basket of laundry. He helps a prisoner lose a checker game and starts a prison riot. Good fun for the kids. Running time, 9 mins.

"Screen Souvenirs"

(Paramount 3-8)

Conventional, but having more than the usual quota of laughs, this "Screen Souvenir" takes the audience back to 1908, with its autos, airplanes and customs, and with the usual melodrama. Running time, 12 mins.

"Born April First"

(Warren Doane-Universal)

Sterling Holloway is having a birthday. His aunts, at the instigation of his sweetheart, decide it is high time for him to get some spunk. So they set about making a man of him. They get him liquored up when a rival calls for his gal to test him out. He lets the fellow have it. Gloria Shea is the girl. No better than mild. Running time, 21 mins.

"Holy Land"

(Van Beuren-RKO)

One of the "Vagabond Adventure" series. Opening scenes are laid in Jaffa, and the scenes include the sea of Galilee, Jerusalem, the Damascus Gate, the Wailing Wall, Tower of David, Holy Sepulchre and other well known spots. There are also some religious interiors with the singing of hymns in various languages. In addition to the narrative there are many native sounds. Interesting. Running time, 10 mins.

"Derby Decade"

(Van Beuren-RKO)

The Bowery in the gay '90's furnishes the background for some good singing by Ruth Etting and rough and tumble comedy in which Tom Kennedy, Harry Bowen, Eddie Baker, Eddie Borden, Leslie Goodwin and Jean Fontai take part.

Kennedy installs electric lights in his barroom cafe and two rival gangs at the opening show stop hostilities only when Miss Etting is singing. A group of uptown reformers get into the fray. Plenty of laughs. Running time, 21½ mins.

Studios Plan Big Reception To the MPTOA

(Continued from page 1)

this reason plans are to be made t enable the delegates to visit the majo plants and see pictures actually i work as well as to provide as man informal personal contacts as pos sible.

Studio luncheons probably will b arranged and it is considered likel that a demonstration of the high clas ballyhoo reserved for distinguishe visitors will be put on from the tim of the arrival of the conventioneer to their departure four days later.

Special rates and accommodation have already been set by Ben Berin stein at the Ambassador with min mum rates of $5 single and $7 doubl and word is being awaited here as t the probable number of delegates t come in on two special trains fro New Orleans and from Chicago.

Buffalo Lays Plans For a Variety Clu

BUFFALO, March 4.—The tent of th Variety Club, seventh organized un der the big top, will be under wa here within 10 days. Dave Mille president of the Film Board of Trad and manager of Universal, presided a a preliminary meeting of 22 prospec tive barkers earlier this week. Con siderable enthusiasm was evinced.

Miller heads the organization com mittee, of which Herbert T. Silver berg, film attorney, is secretar Others on it are: Jules H. Michae chairman of the Buffalo zone, M. J T. O.; Edward K. (Ted) O'Shea, M G-M manager; Harry T. Dixon, Ra dio manager; Murray Whiteman, sor shop proprietor; Isaac R. Lounsberr general manager of the Buffalo Broad casting Corp.; George Gamble, pro prietor of the Unity, and Sidney J. Pfeifer, film attorney.

PHILADELPHIA, March 4.—A cha ter of the Variety Club is in th works for the Quaker City.

Academy Will Limit Speeches at Dinne

HOLLYWOOD, March 4. — Speech will be held to a minimum at the an nual Academy awards banquet Marc 16. The affair will be a dinner-dan with music by Duke Ellington's o chestra. Other entertainment is bein lined up.

Names submitted for the fir awards to assistant directors includ Fox, William Tummel and Per Ikerd; M-G-M, Charles Dorian, Joh Waters and Bunny Dull; Paramoun Arthur Jacobson, Sidney Brod an Charles Barton; Radio, Dewey Sta key and Eddie Killey; United Artist Fred Fox and Benjamin Silvey; Un versal, Scott Beal, Billy Reiter an Joe MacDonough; Warners, Gord Hollingshead, Al Alborn and Fran Shaw.

"Rothschild" to Astor

"House of Rothschild" will follo "Catherine, the Great" into the Asto The date has not been set, but pro ably will be March 14.

AE WHOLE WORLD PAUSED WHILE HE MADE LOVE!



Women were drawn to him — intrigued by his Charm — while men trembled at his power!

he most fascinating lover
ne world has ever known

FREDRIC MARC



SACRAMENTO, CALIF.,
It opened to two and one-half times average business and closed to better than twice average business!

CHICAGO, ILL.,
Oriental Theatre — opening day capacity business and side-walk holdout all day for a show that ran but 1 hour and 55 minutes.

Paramount Pictures

"DEATH TAKES A HOLIDA

with EVELYN VENABLE — SIR GUY STANDING — KENT TAYL

A Paramount Picture, Directed by Mitchell Leis

Atlanta

ATLANTA, March 4.—DAVE PRINCE, presenting affiliated national distributors on the Atlanta grievance board, branch manager for Paramount. e has the confidence of exhibitors d is said to wield a supreme author- in the administration of his of- e in that his recommendations are variably acceptable to his home- ice heads. While a keen business ecutive in the interest of his em- oyers, he is looked on as eminently r in all his dealings. Prince was rn in Jacksonville, Ill., on May 7, 89 and received his training in the siness under John Cecil Graham hen the latter was manager of the anson-Crawford Exchange in St. uis. There Prince was employed booker in 1919. Later, he shifted General Film as booker in Dallas, bsequently becoming branch mana- r. In March, 1923, Famous Play- s offered him the post of branch nager in Atlanta. He hasn't budged ce then.

ARTHUR C. BROMBERG, representing affiliated distributors on grievances, a Southerner and hails Mobile, a., as his birthplace and the date n. 9, 1884. He was educated at the rton Academy in that city and went m the piano manufacturing busi- s to theatres in Birmingham in as- iation with his brother, F. W. omberg, a jeweler. This was from 6-1909. In order to protect an in- tment on a jewelry store lease, omberg opened the Edsonia in that abama city; it was the third five t theatre in town. From 1907 to 8 he operated the Birmingham m Exchange and in the latter year ame manager of the Birmingham n and Supply Co. Later came an ociation with Louis Mitchell in neral Film covering Memphis and le Rock and in 1910 managership the Birmingham branch of the ie Film Co. When that company nd itself in a merger, Bromberg transferred to Atlanta as mana- of the Consolidated Film and Sup- Co. In 1912 he was manager for tual here, then left, then returned e months later to remain until inception of Triangle in 1915. He ained with that company four s and in 1920 organized the Ar- C. Bromberg Attractions, later ing the Educational franchise for Atlanta territory. Four years r he sold it. Now Bromberg is the head of his own company n his own exchanges here and in nta, Charlotte, New Orleans and pa and distributes Monogram as as other independent product. enjoys much goodwill among theastern exhibitors. Bromberg red in the early deliberations of code and is viewed by impartial rvers as a man of positive opin- . but always fair in his dealings.

TONEL H. KEENE, representing af- ted exhibitors on grievances, is a ran in the Loew ranks and a pro- of E. A. Schiller, vice-president he company. He joined the or- zation in 1917 and was assigned agement of the Bijou, Birming- . When the circuit built the War- in San Francisco, Keene was sferred there as general manager r Schiller and had complete say he operation of the theatre and building of its shows. It was in or thereabouts that he was ted to New York as Schiller's tant and in 1926 that he was ap-

Who? What? When?

Eleventh instalment in a biographical series on the men who make up the code boards.

pointed Southern divisional manager in charge of Loew houses in Atlanta, Memphis, Nashville, New Orleans, Louisville, Houston and Evansville—a sector which gives Keene plenty of opportunity to become familiar with the landscape. Before his long association with Loew, he was treasurer for Sothern and Marlowe on the road. While a partisan on all matters affecting his company, Keene is viewed as being quite fair in his attitude toward the industry and its problems at large.

NAT M. WILLIAMS, representing unaffiliated exhibitors on grievances, was born in Quitman, Ga., on July 31, 1899 and enlisted in the marines the day following his graduation from high school, serving in the 6th Regiment, 2nd Division, A. E. F. He also includes in his past a job as a newspaper columnist. Williams makes his home in Thomasville, Ga., winter home of the Whitneys, et als., where he operates the Rose (900 seats) and also the Ilex (350) in Quitman, Ga., and the Manavista (320) in Chipley, Fla., both of which are in the vicinity of each other. He is president of the Southeastern Theatre Owners' Ass'n, serving his second term although not successively. He enjoys the confidence of all branches in the industry, is a great fisherman, being official host to many fishing parties every year out in the Gulf of Mexico, which laps the edges of Florida near his home town of Thomasville, and is aggressive in the conduct of anything to which he puts his hand. Williams has been president of the Thomasville Chamber of Commerce and has also served as chairman of the Rose Committee of his city, noted for the profusion of roses which are grown there in private estates and on the public highways and which draw thousands of persons to the city in spring of each year. The Southeastern association is an affiliate of the national M. P. T. O. A.

ROY LECRAW, impartial member on grievances, is a native of Atlanta, a former president of the Chamber of Commerce, and has and is devoting much of his time to the advancement of the interests of the city and state nationally. He is a member of the Atlanta Convention Bureau Committee and a zealous partisan of the city and state. His aggressiveness made of the Chamber of Commerce a vital factor in local affairs in 1932, the worst year of the depression years in the vicinity of Atlanta. He is regarded as honest and fair and as lending immeasurable, potential aid to the work of the committee. He is local representative of the State Life Insurance Company of Indiana and probably one of the South's most successful young business men. His brother, Walter LeCraw, is a member of the staff of the solicitor general of Fulton County.

JAMES W. ("JIMMIE") HANLON, representing affiliated national distributors on clearance and zoning, is one of the best liked members of the fraternity in this territory. He knows the business from various angles, having worked in practically every capacity from shipping clerk, booker and salesman to his present position as M-G-M manager here. He obtained his early experience with S. A. Lynch when the latter was distributing Paramount in the Southeast and Southwest under long-term franchise. After the world war upon his discharge from the army, he was associated with Fox under direction of Sam Dembow, then branch manager at Atlanta. Shortly after leaving Fox Hanlon was connected with Select and until 1924. On March 31, 1924, he joined M-G-M as booker, was made acting manager on Jan. 3, 1925 and branch manager on May 2, 1925. Code Authority erroneously listed his name as *Hamlin*.

W. W. ANDERSON, representing unaffiliated distributors on clearance and zoning, was born in Chicago on April 28, 1887 and has a grown son who is a doctor of dentistry. Anderson père worked for his father in the grocery and meat business for two years after completing school and in 1907 entered the theatre business in that city to remain until 1913 when he sold out to become a booker for Pathe. He later became office manager and inspector booker for the entire Middle West. As assistant manager for Pathe in the Windy City, Anderson held that post for five years and then became a full-fledged branch manager. In 1921 he was shifted to Atlanta where he remained in his post for nine years to resign for a job with Erpi, selling sound equipment in Tennessee, Florida, Georgia and Alabama for the next year. Anderson started with Columbia as a manager on Jan. 5, 1931 and now is in charge of its office here. He is quiet and unassuming in deportment, but may be depended on to be eminently fair in all matters, according to impartial Atlanta opinion.

ROBERT B. ("BOB") WILBY, representing affiliated first runs on clearance and zoning, is one of the best known theatre operators in the Southeast. While definitely aggressive in matters which involve his own company and its welfare, Wilby is regarded as disposed to be fair and is undoubtedly courageous in the expression of any position he may take. He was a bitter opponent of some of the demands of union labor in the code hearings, but even in view of this is not considered inimical in his ideas, as he is viewed as intellectually honest and quite capable of threshing out all questions fairly and impartially. Wilby is president of the Valatenga Theatres, Inc., which operates in Georgia, Alabama, Tennessee, and is also a partner in the Kincey-Wilby Theatres, operators in North and South Carolina. Under various company names and partnerships, he has these in Alabama: Noble (1,100 seats), Rialto (350), and Ritz (1,000) in Anniston; Tiger (500) in Auburn; Alabama (3,000), Champion (600), Famous (900), Gala (800), Rialto (500), Ritz (1,200), Strand (800), Trianon (600) and Temple (1,200) in Birmingham; Belle (500) and Ensley (800) in Ensley; Empire (475), Paramount (1,492), and Pekin (600) in Montgomery; Academy (1,000) in Selma and the Bama (1,000) and Ritz (350) in Tuscaloosa. Holdings in Georgia include: Cameo (300), Capitol (2,100), Fox (5,000), Georgia (2,500) and Paramount (2,700) in Atlanta and the Imperial (700) in Griffin. Holdings in Tennessee include: Rialto (800), State (900) and Rivoli (1,200) in Chattanooga; Majestic (1,200), Riviera (1,200), Tennessee (1,981) and Strand (600) in Knoxville; Paramount (1,200) in Nashville and the Criterion (400), Liberty (438) and Majestic (880) in Johnson City. As a partner in Kincey-Wilby Theatres, Wilby is interested in 52 theatres in 22 North and South Carolina cities and towns.

(*Continued on page* 14)

Cornell, Actress's Father; Guggenheimer, Scout Man

Who are the impartial code members on the Buffalo grievance board? Their thumbnail biographies supply the answer:

Milton C. Guggenheimer, who represents the government as impartial member of the Buffalo grievance board, is best known for his devoted service to the Boy Scout cause.

For 22 years, or ever since he entertained Sir Arthur Baden Powell in Buffalo in 1912, Guggenheimer has taken an active interest in scout work. He organized Troop 7 in Buffalo, became its first scoutmaster, and has taken over increasingly important duties in the organization until today he is president of the Buffalo council, a member of the regional council and a member of the executive committee of the national council.

Guggenheimer is a member of the executive board of Nichols school, well known Buffalo "prep" school for boys. He formerly was vice-president of J. L. Markell & Co., investment brokers. Later he organized his own investment service, but business has taken increasingly less of his time in recent years as he has plunged more extensively into scout work.

Dr. Peter C. Cornell, who represents the government as the impartial member of the Buffalo clearance and zoning board, is the father of Katharine Cornell, famous stage actress.

A native Buffalonian, Dr. Cornell has spent most of his life here except for the period spent abroad in getting his education. He had extensive medical training in Germany and took his degree, but never has practiced medicine.

Dr. Cornell managed the Majestic, a legitimate road show and stock house here, for 25 years. He and E. D. Stair, Detroit publisher and theatrical magnate, were partners in various theatrical ventures. Retiring from the field seven years ago, Dr. Cornell became one of the most prominent upstate New York industrialists and capitalists.

He was a leader in the formation of the Trico Products, Inc., manufacturers of automobile accessories. Formerly an officer and director, Dr. Cornell still is a director of Trico. He is a lifelong Democrat.

Who? What? When?

Des Moines

DES MOINES, March 4.—E. J. TILTON, representing affiliated national distributors on the Des Moines grievance board, was born in 1894 and dates his beginnings in the film business to the days of his 'teens. His first connection was with Mutual in Des Moines and the time was Nov. 1, 1913. He served for a short time as a shipping clerk and booker, becoming a salesman the following year and continuing in that capacity until March, 1916, when he was appointed manager of the Omaha office. Tilton served in that capacity during the reorganization of the company and up to April 1, 1921. He then joined Pathe in Des Moines as a salesman from 1921 to 1922. It was on Jan. 30, 1922, that he made a connection with First National in the above city as booker and office manager. In May, 1924, he was appointed branch manager. Today, he continues in that capacity as local representative for Warners.

LOUIS PATZ, representing unaffiliated distributors on grievances, was born on April 13, 1899, at Bluffton, S. C., and educated at the North Georgia Military Academy. Prior to joining Universal on Sept. 6, 1932, Patz worked for RKO, Educational, Pathe and the Goodal Electrical Manufacturing Co. He is now manager for Universal here.

H. CAVANAGH, representing affiliated exhibitors on grievances, doubled in brass back in '24 as an usher for Finkelstein and Ruben at the State, Minneapolis, while he attended high school. He gradually worked his way up the line to chief usher and in 1928 was given the assistant manager's post at the Uptown in the same city. He was there for one year and then was transferred to the Uptown, St. Paul, as assistant manager for one year whereupon he was again shifted. This time it was a post in the advertising and publicity department of the big Minnesota, in Minneapolis, where he stayed two years. Cavanagh joined M-G-M as an exploiteer in 1931 and in September of that year joined Jenkins & Co., a Minneapolis bond company, as advertising manager. Three months of that were followed by a press agent's job for the Orpheum, Des Moines. He was made manager of the theatre, an RKO house, on Aug. 18, 1932. Code Authority erroneously listed his name as *Cavanaugh*.

CLIFFORD L. NILES, representing unaffiliated exhibitors on grievances, was born in Anamosa, Ia., on Aug. 4, 1878. He graduated from the Shattuck Military Academy in 1895 and from the University of Michigan in 1899 and started in show business as an usher at the Grand in his home town in 1893. Six years later, he became stage manager; in 1900, treasurer and, in 1901, manager. The house burned down in 1931 and was rebuilt as the Niles. It was owned by the Eastern Iowa Theatre Co. which operated in Oelwein, Decorah, Cascade, Dyersville, Monticello, Wyoming, Lisbon and Mechanicsville—Iowa towns all. These houses since have been disposed of and the company disbanded. Niles was appointed to the Iowa State Board of Conservation by Governor Kendall and to the Iowa State Highway Commission by Governor Hammill. He also served on a highway commission for four years while the state spent approximately $100,000,000 "getting out of the mud." Later, he managed Governor Hammill's campaign for a third term when the candidate was elected by a large majority. Niles is president of Allied Theatre Owners, Inc., and, as a member of the grievance board, is regarded as extremely competent in upholding exhibitors' interests.

B. J. MCCARTHY, representing affiliated national distributors on clearance and zoning, is manager of the RKO exchange here. He started with the company as a salesman here on March 1, 1929, and became a branch manager on April 1, 1929. He spent four years with First National.

JOSEPH LEVY, representing unaffiliated distributors on clearance and zoning, is branch manager for Columbia here. He started with the company on Feb. 9, 1931, as a branch manager and formerly was a sales manager in the field for United Artists.

A. H. BLANK, representing affiliated first runs on clearance and zoning, is a Paramount theatre operating partner in this section and a member of the Paramount national theatre advisory committee. His operations include theatres in 20 Iowa and Nebraska cities and at Moline and Rock Island, Ill. Headquarters are maintained here.

Blank was the founder and developer of the A. H. Blank Theatres, most of which were sold to Publix about 1927. Blank retained a few theatres of his former independent circuit and continued to operate them after the bulk of the circuit had been taken over by Publix. With the Paramount bankruptcy Blank entered into a deal with the Paramount trustees under which he became an operating partner for the company in this territory, which involved his resuming operation of his former circuit.

He now operates as Tri-States Theatres Corp. with 13 theatres in Iowa and three in Illinois. In Indiana, Tri-State houses are the Paramount (2,500 seats) and State (1,000) in Cedar Rapids; Columbia (1,800), Capitol (2,500) and Garden (800) in Davenport; Paramount (1,708), Des Moines (1,679), Strand (1,068) and Garden (900) in Des Moines; Capitol (585) in Newton; Grand (750) in Ottumwa; and Paramount (2,000) and Strand (1,063) in Waterloo. In Illinois: Le Claire (1,800) in Moline; Fort (1,623) and Spencer (1,000) in Rock Island. Separately and described as an unaffiliated circuit, Blank is the dominant factor in Central States Theatre Corp. with 25 theatres scattered through Iowa. These include Albia (one house), Ames (three), Boone (one), Burlington (three) Centerville (two) Chariton (one) Clinton (three), Fort Dodge (three) Grinnell (one), Iowa City (two) Mason City (three) and Oelwe (two).

E. O. ELLSWORTH, representing u affiliated first runs on clearance a zoning, has been identified with t theatre end of the amusement indust for 35 years. He asserts he is t oldest theatre manager in the state point of continuous service and h managed the Metropolitan in Io Falls since its construction. T house was considered the best in Io at the time it was built and one the principal one night stands i roadshows. Ellsworth has been ide tified with independent theatre assoc tions for years and is a director Allied of Iowa and Nebraska. Tl is the unit which backed up Busin Manager Lester F. Martin of Neva Ia., when Abram F. Myers, gene counsel of national Allied, inform the latter by wire he was off t Allied States' board.

JULIUS H. GOERTZ, representing u affiliated subsequent runs on cleara and zoning, entered the business ab 15 years ago as an exhibitor in D venport and at one time controlled f neighborhood theatres in that city. now has the 500-seat Uptown and 300-seat Zenith there. He is affiliat with Allied Theatres Owners, Inc., a is a Mason, an Elk and a Kiwanian

ABE FRANKLE, second representat of unaffiliated subsequent runs, clearance and zoning, opened Casino Theatre here with A. Blank in 1912. Later, he was as ciated with Blank in the Des Moi Theatre Co., which operated seve houses in the city for about th years. Frankle severed his conn tion with Blank then and took o the Casino, which he still owns a operates. He also had the Strand Creston and King at Albia which sold and now confines his exhibit activities to the Casino (600 seat In 1915, Frankle organized the Riv view Amusement Co., of which h president and manager. Code thority listed his name as *Franke*

To Remake "Lost Lady"

HOLLYWOOD, March 4. — Warners have decided to do a remake of "The Lost Lady," which was first produced in 1925, topspotting Irene Rich. Although the lead role has not been definitely set, Kay Francis is being considered.

Elissa Landi Free Lance

HOLLYWOOD, March 4. — Elissa Landi, with the consent of Harry Cohn of Columbia, has torn up her contract with that studio and has become a free lance. The actress made one picture for Columbia and was slated for a second when the agreement to call all bets off was made.

Millward Gets Amity

SEATTLE, March 4.—D. C. Millward, exchange head, has taken over distribution for Amity Pictures for Washington. New quarters have been opened at 2404 First Ave., which will hereafter be known as the Metropolitan Film Exchange.

Opens Writers' Quarters

HOLLYWOOD, March 4.—A new writers' building has been opened by Columbia.

Atlanta

(*Continued from page* 13)

OSCAR C. LAM, representing unaffiliated first runs on clearance and zoning, is president of the Lam Attractions, Inc., and is quiet and unassuming in all matters. His disposition is passive, although he is quite capable of being positive in assertion and action. He is a former president of the Southeastern Theatre Owners' Ass'n, one of the charter members of that body and numbers his friends by his acquaintances literally. Lam's houses are the Cedar (578 seats) in Cedartown; La Grange (995) in La Grange and De Sota (1,200) and Rivoli (564) in Rome. Lam makes his headquarters in the latter city.

MITCHELL WOLFSON, representing unaffiliated subsequent runs on clearance and zoning, is secretary and treasurer of Wometco Theatres, Inc., of Miami, his partner being Sidney Meyer, formerly city manager for Fox in Chicago and general sales manager. Wolfson is a vice-president of the Southeastern Theatre Owners' Ass'n, representing Florida, and is a far-thinking member of that body. In all its counsels and its conventions he plays a prominent part. He is author of one of the most important resolutions adopted at the last convention, that in which the publication of star salaries and box-office receipts were frowned upon on the theory they tend to focus attention of tax-gatherers. Wometco operates these houses, all in Florida: Biltmore (600 seats) in Buena Vista; Cocoanut Grove (1,350) in Cocoanut Grove; Biscayne Plaza (1,400), Capitol (1,500), Harlem (200), Lyric (490), Mayfair (700), Ritz (500) and Tower (750) in Miami and the Dixie (400) and Grand (511) in West Palm Beach.

WILLIS J. DAVIS, representing unaffiliated subsequent runs on clearance and zoning, is a comparative newcomer in the film list, having come to Atlanta in 1927 and built, together with a partner, a subsequent run house in one of the prosperous neighborhoods of the city. A couple of years later he withdrew from this partnership and built a theatre in Buckhead just outside the city limits but in the heart of the country estate and de luxe homes locality. This has operated with success.

ALVIN G. MAXWELL, impar member on clearance and zoning, vice president of the Citizens' a Southern National Bank of Atla and one of the best known bank and business men in the southe He is a financier, reputed posses of rare ability and is said to en the confidence of those in the ind try who know him. His reputat for fairness and impartiality is viev as beyond dispute.

Miller Trial March 1(

CHICAGO, March 4.—Trial of J Miller on charges of "contumaci conduct" and possible contempt court has been set before Fede Judge Barnes for March 10. The he ing before Judge Barnes is in conn tion with Miller's recent testimony fore the grand jury in the gove ment's investigation of income tax Tom Maloy, head of the Operat Union.

Joe E. Brown to Orien

HOLLYWOOD, March 4. — Joe Brown and his wife leave on a th months' vacation in the Ori March 19.

Jobs Gaining, Grosses Rise In Four Spots

(Continued from page 1)

crease from the December mark, according to a report released by the bureau of business research of Ohio State University.

The major keys showing the highest percentage of gain over a year ago are: Dayton, 36.6 per cent; Cleveland, 20.7 per cent, and Cincinnati, 13.6 per cent.

ENID, Okla., March 4.—Business is picking up in a number of Oklahoma spots. The Criterion El Reno, is being rebuilt. It was burned last year. A new house has been completed at Aline; the Warner, at Oklahoma City, is running occasional vaudefilm programs; the Temple, at Kingfisher, is to be remodeled, and a new house is to open at Bixby.

NEW ORLEANS, March 4.—Better times are indicated by the number of reopenings in this territory. In addition to three houses which opened last week, two more are scheduled to open soon, a house at Stark, La., to seat about 600, and another at Opelousas, La., to seat 650. Meanwhile Claude Hazel's new Shreveport house is nearing completion.

Zirn's Para. Bond Petition Set Aside

(Continued from page 1)

lower court in the Levy action, without any opinion on the case being handed down. Presiding Justice Finch, who stated at the hearing in the Appellate Division two weeks ago, that he was a depositor in Chase National Bank, a party defendant with Paramount Publix in the action, had no part in the decision, although the plaintiff's attorney, Zirn, declared at the time, that he had no objections to Justice Finch sitting in the case because of that association with the Chase bank.

Zirn stated Saturday that the ruling decided "nothing material" in the case, and described the subject at issue to be merely "whether or not the trustee in bankruptcy was the only one who could bring an action of this kind or whether one bondholder could sue on behalf of all bondholders." Zirn declared, however, that he would carry the Appellate Division's ruling to the court of appeals at once.

More Film Salaries Released in Capital

(Continued from page 1)

and director: 1930, $26,250; 1931, $68,000. James R. Grainger, general sales manager and director: 1933, $52,000.

Trans-Lux Daylight Screen Corp.—Percy N. Furber, president and chairman of the board: 1928, $21,357; 1929, $58,376; 1930, $51,160; 1931, $30,833; 1932, $35,000. Furber's 1933 salary was to be 10 per cent of the profits of the company, with a minimum of $35,000 for the year.

Tax Disagreements In Ohio Reported

(Continued from page 1)

centrating on an attempt to increase the tax in the upper brackets, a solar plexus blow to the Class A affiliated houses. In some quarters, it is said, an additional 10 per cent will be suggested with an exemption up to 25 cents. Affiliated exhibitors, it is understood, will contend that if a state tax is to be continued, it should be imposed solely on the smaller houses where a 25-cent top obtains, and that the deluxe affiliated operations should be excluded because of their present payments both on property holdings and Federal admission collections on admissions over 40 cents.

The Independent Theatre Owners of Ohio, organized here early last month to replace the independent faction of the Ohio M.P.T.O. and the state unit formed in November, is incensed over the accusation that they are endeavoring to force additional taxes on the higher first run admissions, and vehemently deny the charge. The organization is understood to have wired Will Hays recently asserting that it is in no way a party to the move, and that experience both here and elsewhere has proved that reductions in first run prices have not been productive of results at the box-office, citing that the local producer-affiliated houses, after a recent experiment along this line reinstated their original higher scales.

A series of regional meetings of the independents, under leadership of Pete Wood, state secretary and business manager, in many key centers of the state is being held to explain the purposes of the association. The first of these was held at Toledo Wednesday, with the second at Lima yesterday. Others are scheduled at Dayton, March 5; Zanesville, March 9; Akron, March 12; Youngstown, March 13 and Steubenville, March 14. Dates for meetings at the major keys, including Cleveland, Cincinnati and Columbus, although scheduled, have not been set.

Code Conferees to Vote Upon Changes

(Continued from page 1)

a guide, and it is expected that Administrator Hugh S. Johnson will have some clear-cut policy ready for announcement when the sessions are concluded, probably Thursday.

Indications are that orders effecting changes will be issued by the President.

Start Confabs For Studio Labor Pact

(Continued from page 1)

tween the IBEW and the IATSE, but is expected to be ironed out in one way or another in the next 10 days. Arrived Friday was William C. Elliott, IATSE president. Present for producers are Nicholas M. Schenck, Pat Casey and Al Berres and for various unions Abe Muir, international vice-president of the carpenters' union; Harry Brigaerts, international vice-president of the electrical workers' organization and Joseph N. Weber president of the American Federation of Musicians.

Claims a New Sound System; Not on Market

(Continued from page 1)

non-directional and sound is as clear in the rear of the theatre as in the first row. All "pockets" have been eliminated, it is claimed. It is said the system can be operated on a much higher level continuously than can be done with any other system now in use.

Sound of every description, not ordinarily discernible, is reproduced in high fidelity to the original, and the faintest whisper is plainly audible in all sections of the house.

Chicago Newsreel Ban Is Rescinded

(Continued from page 1)

defense of the reels in news columns and editorials, declaring that "newsreels should not be subject to censorship any more than newspapers" and pointed out that photographs of the same scenes had appeared in newspapers throughout the country.

Mayor Edward Kelly's order that scenes of violence, tending to incite crime or riots, could not be shown in the city's theatres, still stands, however. The order was first directed at a Universal Newsreel release and subsequently extended to the same releases of all other reels. The local Universal office said it had been advised by New York headquarters that a court test of the order would be undertaken whenever Mayor Kelly's order was invoked to delete newsreel shots. The local Film Board of Trade plans an early protest meeting against the standing order.

Point Out 75% Vote Can Save Premiums

(Continued from page 1)

fight to Washington, it was stated today by representative film men here.

The code bans the use of premiums only in the event the policy is opposed by 75 per cent of the exhibitors of the territory, it was pointed out. If 250 Philadelphia exhibitors favored use of premiums they would constitute more than the 75 per cent required by the code and could retain the policy without campaigning for it at Washington, it was said.

The premium backers contend that their use is essential to the small theatre which must compete with houses having protection and other advantages and offering stage shows, and contemplate presenting these views to the NRA on the theory that they fit in with the announced policy of the President to assure adequate protection under NRA for small enterprises.

Reservations Pouring In

The Columbian Club, made up of employes of Columbia, reports reservations pouring in for its dinner-dance to be held next Saturday at the Waldorf-Astoria. Floyd Weber is in charge of the table arrangements.

Spot News from Columbia



"Destined to take its place among the finer film accomplishments!"—M. P. Daily. Frank Borzage's "NO GREATER GLORY," is the most deeply moving emotional triumph the screen has yet produced! Based on Ferenc Molnar's great novel.



Smashed records at Keith's, Washington; Bijou, Springfield, Mass.; Liberty, Seattle. CLARK GABLE and CLAUDETTE COLBERT in Frank Capra's "It Happened One Night," the season's outstanding box-office draw!



JOHN BARRYMORE in "20th Century" will have the screen's best supporting talent. Walter Connolly, one of the foremost character actors, has been added to a cast which includes Carole Lombard and Roscoe Karns. A Howard Hawks Production from the play by Ben Hecht and Charles MacArthur.



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The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

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Don't Judge Code Yet, Is Plea of Authority

Need Seen by President to Tighten Codes

Old Order Must Pass, He Tells Authorities

WASHINGTON, March 5.—The basic principles of retention of small enterprises and preservation of the anti-trust laws to retain competition and prevent monopoly were today laid down by President Roosevelt in opening the general conference of code authorities.

Warning his hearers that industry can never return to its old chaotic conditions, the President intimated strongly his intention of tightening up codes to eliminate chiselers, protect workers and consumers and outlaw

(Continued on page 7)

Improved Sound Is Predicted Shortly

HOLLYWOOD, March 5.—A pronounced improvement in naturalness and quality of speech in talking pictures within two months was predicted at a meeting of technical directors of major studios.

"Blurred sound," according to G. . Pratt, a vice-president of Erpi, has been eliminated through a recording device which flashes tiny

(Continued on page 10)

Ohio's Tax Program Hanging in Balance

COLUMBUS, March 5.—Prospects for repeal of the 10 per cent admission tax hang in the balance. The special session of the Legislature reconvenes tomorrow with the program for taxation still undecided.

Paul P. Yoder, chairman of the special joint taxation commission, says there is no program and the commission's proposals will be laid before the joint taxation committee of the

(Continued on page 11)

Bankers' Salaries Latest to Come Out

WASHINGTON, March 5.—Bankers identified with film financing were listed in the Federal Trade Commission's salary and bonus reports released today.

On the list of bankers were Dr. . H. Giannini, chairman of the executive committee of Bank of America, National Trust & Savings Ass'n., San

(Continued on page 11)

Theatre Gains Estimated at 12 to 15% by Code Authority

Washington, March 5.—Business is on the upgrade in most sections of the country and some of the expense of increased numbers of employes has been taken up in this way, according to a brief submitted today to Administrator Hugh S. Johnson by Code Authority.

Some of the salient facts developed are:

National receipts are up by 12 to 15 per cent.

Improvement in the south has been "noteworthy." In Texas Interstate has restored vaudeville and increased its overhead 50 per cent. Business has jumped 300 per cent.

CWA expenditures are given credit for much of the improvement.

Key cities have picked up faster than smaller spots, with big pictures accounting for most of the gains.

Average weekly increases in theatre payrolls under the code are estimated at 10 to 15 per cent, with 13 per cent estimated for the south.

Artists in vaudeville and presentation houses are estimated at 4,000.

Increased employment in studios is estimated at from 25 to 35 per cent.

Zero Weather Hits Grosses In Some Keys

Chicago and Philadelphia were the chief sufferers from the sub-zero weather last week, but in a number of other spots where the weather was almost equally cold individual pictures developed strong grosses. Boston, Buffalo, Providence and Cleveland reported some good takes.

In Cleveland "It Happened One Night" set up a new record for the season. "Bolero" was strong in Los Angeles, Oklahoma City and Boston. "Queen Christina" was spotty, and

(Continued on page 10)

Autonomy for Local Boards, Authority Aim

Local autonomy is expected to be the keynote of procedure for clearance and zoning and grievance boards, which are expected to start functioning by the end of the month. Code Authority is understood anxious to let members of the various boards operate by themselves and will only step into the breach when complaints from the field compel such action.

In cities where appointees are compelled to use railroads or buses to attend meetings, these out-of-town men

(Continued on page 7)

St. Louis Theatre Tussle Versus F. & M.-Warner On

ST. LOUIS, March 5.—Fanchon and Marco, operators of the Fox and St. Louis, and the Warners are about to pit themselves against each other in a theatre tussle that carries all of the earmarks of a fierce and unrelenting struggle.

Harry Arthur, F. & M. and Harry Koplar are understood to have made

(Continued on page 7)

Too Early to Gauge Merits, It Holds in Report To Johnson

WASHINGTON, March 5.—On the ground that the code "has yet to fulfill in practice and application the earnest wishes of its advocates" and that "the period of demonstration is close at hand" Code Authority, in a brief submitted today to Administrator Hugh S. Johnson, contends that "the time has not yet arrived for criticism or praise."

The brief was submitted by Executive Secretary John C. Flinn.

In reviewing the progress leading up to the adoption of the code and the creation of the machinery for its operation the brief says there are 369,000 wage earners in the industry directly affected by the operation of the code. It says there is an "eager impatience on the part of the industry as a whole for the full operation of its provisions."

It goes on: "Some criticism from quarters unfamiliar with the complexities of the code machinery require answer and explanation."

It is pointed out that only two industries in this country, automobiles

(Continued on page 5)

Cleveland Raises Queries on Boards

CLEVELAND, March 5.—Cleveland independent exhibitors are pleased with the personnel of the grievance and clearance boards as announced this week by the Code Authority. However, they are not forgetting that the local boards are not the courts of last resort. They point out that failure to agree on a vital issue will result in passing the decision to the

(Continued on page 6)

House Passes Bill To Curb False Data

WASHINGTON, March 5.—A bill making it a criminal offense wilfully to file false data with any govern-

(Continued on page 11)

Who? What? When?

Twelfth instalment of the biographies of the men who make up the code boards appears on page 4 today.

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Flash Reviews

"She Made Her Bed"—Hollywood, March 5.—The dialogue has humor and force....acceptable program entertainment.

"Wharf Angel"—Hollywood, March 5.—Entertainment of program calibre.

"What's Your Racket?"—....manages to be consistently entertaining....

These films will be reviewed in full in a later issue of MOTION PICTURE DAILY.

"Bedside," last night's opener at the Mayfair, was reviewed by wire from Hollywood on Jan. 26.

"Heat Lightning," tonight's opener at the Rialto, was reviewed by wire from Hollywood on Feb. 27.

Murfin Now Supervisor

HOLLYWOOD, March 5.—Jane Murfin, writer, has been promoted to the position of supervisor by Pandro Berman, executive producer and vice-president of RKO studios. Her first assignment will be the next Francis Lederer vehicle.

Haley to Be Starred

HOLLYWOOD, March 5.—Jack Haley will be starred in his next, "Here Comes the Groom," Paramount's recently purchased stage play. Charles R. Rogers will produce, with Ralph Murphy slated to do the direction.

George Seitz Re-Signed

HOLLYWOOD, March 5.—Pleased with his work on "Louisiana," starring Robert Young and Jean Parker, M-G-M has signed Director George Seitz to a new long-term contract.

Kohn Returns from Southern Gathering

Ralph A. Kohn, Paramount theatre head, returned yesterday from a meeting of Paramount theatre operating partners of the southeast, held last week at Jacksonville, Fla. He was accompanied by Y. Frank Freeman, president of Famous Theatres Corp., Paramount's new theatre subsidiary. Sam Dembow, Jr., who attended the Jacksonville meeting, is remaining in Florida for another week to recuperate from a recent illness.

Next meeting of Paramount theatre operating partners will be held either at Boston or Chicago in about two weeks. The two remaining members of Paramount's national theatre advisory committee of six will be elected at the forthcoming Boston and Chicago meetings.

Flinn Will Be Ampa Honor Guest Apr. 21

John C. Flinn, executive secretary of Code Authority, will be honored by the Ampa, of which he is president, at a dinner at the Astor on April 21.

The affair is being arranged by a committee of which Paul Benjamin is chairman. Working with him are Rutgers Neilson, William R. Ferguson, Al Sherman, Joel Swensen, Marvin Kirsch, Ed McNamee, Lou Rydell, Monroe Greenthal, Hal Horne, Arthur Jeffrey, Gordon White, Rodney Bush, Paul Gulick, Ray Gallagher, James P. Cunningham, Lou Goldberg and Ed Finney.

New Shamrock Setup

CHICAGO, March 5.—After starting action in the Circuit Court here, B. C. Fassio states that he has regained control of Shamrock Pictures, Inc., and that the board of directors has resigned. A reorganization of the company is under way, with Fassio elected president for another year.

Joe O'Donnell, sales manager, is no longer with the company.

Schenck Signs Bergner

HOLLYWOOD, March 5.—Joseph M. Schenck has signed Elizabeth Bergner and she will report here in the fall.

A. S. Kirkpatrick's Funeral Set Today

Funeral services for Arthur S. Kirkpatrick, former assistant general manager of Educational Film Exchanges, who died Sunday at his home in Rivervale, N. J., following a long illness, will be held at the home of the deceased at 2 o'clock today. Burial will be at Old Tappan, N. J.

Kirkpatrick has been in semi-retirement since late in 1932 when he took a leave of absence from Educational because of failing health. He entered the company as assistant general manager in 1921, and occupied that post for the following 11 years. He was a former vice-president of the old Robertson-Cole Film Co., and was a former general manager of the old Mutual company.

The deceased was 53 years old. He is survived by his wife, Annette Kirkpatrick; two daughters, Mrs. Mildred Tapp and Margaret Kirkpatrick, and a son, Clayton.

Dembow Will Appeal 'Nude World' Ruling

An appeal from an order for an accounting of profits on "This Nude World," handed down in Supreme Court at Mineola, L. I., last week, will be taken to the Court of Appeals here within the next few days, it was stated yesterday by George Dembow, who, with Herman Robbins, Toby Gruen and Jack Leo, is a defendant in the action.

The suit for an accounting was filed by Mike Mindlin, who charged in his complaint that the four defendants financed production of the picture which Mindlin made in Europe last year. His complaint alleges that while his contract called for a percentage of the profits on the picture he has received no remuneration to date.

DeSylva Coming East

HOLLYWOOD, March 5.—Having completed his current Fox production, "Bottoms Up," Buddy DeSylva will leave shortly for New York, taking Sid Silvers with him, to produce a show in which Silvers will star, and will then return to Fox on a new production deal.

Many Drop on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	24½	24½	24½	+ ¼	100
Consolidated Film Industries	4¾	4¾	4¾	.....	200
Consolidated Film Industries, pfd	16½	16⅛	16⅛	— ⅜	400
Eastman Kodak	90	90	90	—1	300
Fox Film "A"	15⅛	15⅛	15⅛	— ⅜	100
Loew's, Inc.	32½	31⅝	32	— ⅛	8,600
Loew's, Inc., pfd	90	90	90	.....	300
Paramount, cts.	5	4¾	5	— ⅛	2,500
Pathe Exchange	4	3¾	3¾	— ⅛	3,400
Pathe Exchange "A"	20⅛	19½	19⅝	— ½	1,100
RKO	3⅞	3⅝	3⅞	.....	3,400
Universal Pictures, pfd	30	30	30	+2	4,000
Warner Bros.	7⅛	6¾	7	+ ⅛	2,800

Trans Lux Declines ⅛ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	9⅛	9⅛	9⅛	.....	100
Trans Lux	2¼	2¼	2¼	— ⅛	100

RKO Bonds in 2½-Point Advance

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	105⅜	103⅜	103⅜	— ⅜	4
General Theatre Equipment 6s '40, ctf	93¾	93¾	93¾	.....	1
Keith B F 6s '46	62¼	62	62	— ½	5
Loew's 6s '41, ww deb rights	96	94⅞	95	— ⅞	11
Paramount Broadway 5½s '51	36	35⅛	35⅛	— ⅞	5
Paramount Publix 5½s '50	47	46½	47	.....	7
Pathe 7 '37, ww	94	94	94	+1	1
RKO 6s '41, pp	36½	36½	36½	+2½	2
Warner Bros. 6s '39, wd	56¼	55½	55⅝	+ ⅛	1

Purely Personal

EDWIN CAREWE is in tow with a print of "Are We Ci ilized?" recently completed for Rascl baum Productions.

NORMAN H. MORAY, Vitaphor sales manager, arrived in Chicag yesterday on his tour of the con pany's branch offices.

AARON SCHUSTERMAN, New Jerse theatre man, has just returned fro Miami Beach where he vacationed a a result of doctor's orders.

ROY SIMMONDS, English publ relations head for Fox, sails tomo row for London on the *Bremen*.

EDWARD ANSON, New England e hibitor, gets into town tomorrow f a brief visit.

CHARLES L. O'REILLY couldn't g away for the Washington Code A thority session yesterday.

JACK BANNON, assistant to SA DEMBOW, JR., was nursing a cold home yesterday.

BEN BLUE and MRS. BLUE ha sailed on the *Champlain* to appear the Casino de Paris and Palladiu

R. H. LOCKHART, author of "Briti Agent," is en route to England aft a lecture tour of this country.

STANLEY BERGERMAN has purchas EDITH WHARTON'S "Bread Upon t Waters" for early production for "U

HAL LEROY will make a series Vitaphone shorts before returning the coast.

ETHEL TURNER has sold "One W Ticket" to Paramount.

ELIZABETH LONERGAN is domicil again at the Woodstock.

LOU B. METZER is somewhere in t wilds of Mexico taking in bull figh

W. E. WOODWARD has sold "Evel Prentice" to M-G-M.

TONY MUTO, M.P.P.D.A. pleni tentiary, is in Washington this we

Mrs. Belmont on Counc

Mrs. August Belmont has be named as head of the M. P. Resear Council. She succeeds A. Lawren Lowell, former head of Harvard U versity, who becomes honorary pre dent. She followed her appointm with a statement attacking bl booking and announcing she wo attempt to enlist women's organiz tions in the council's campaign agai this form of selling.

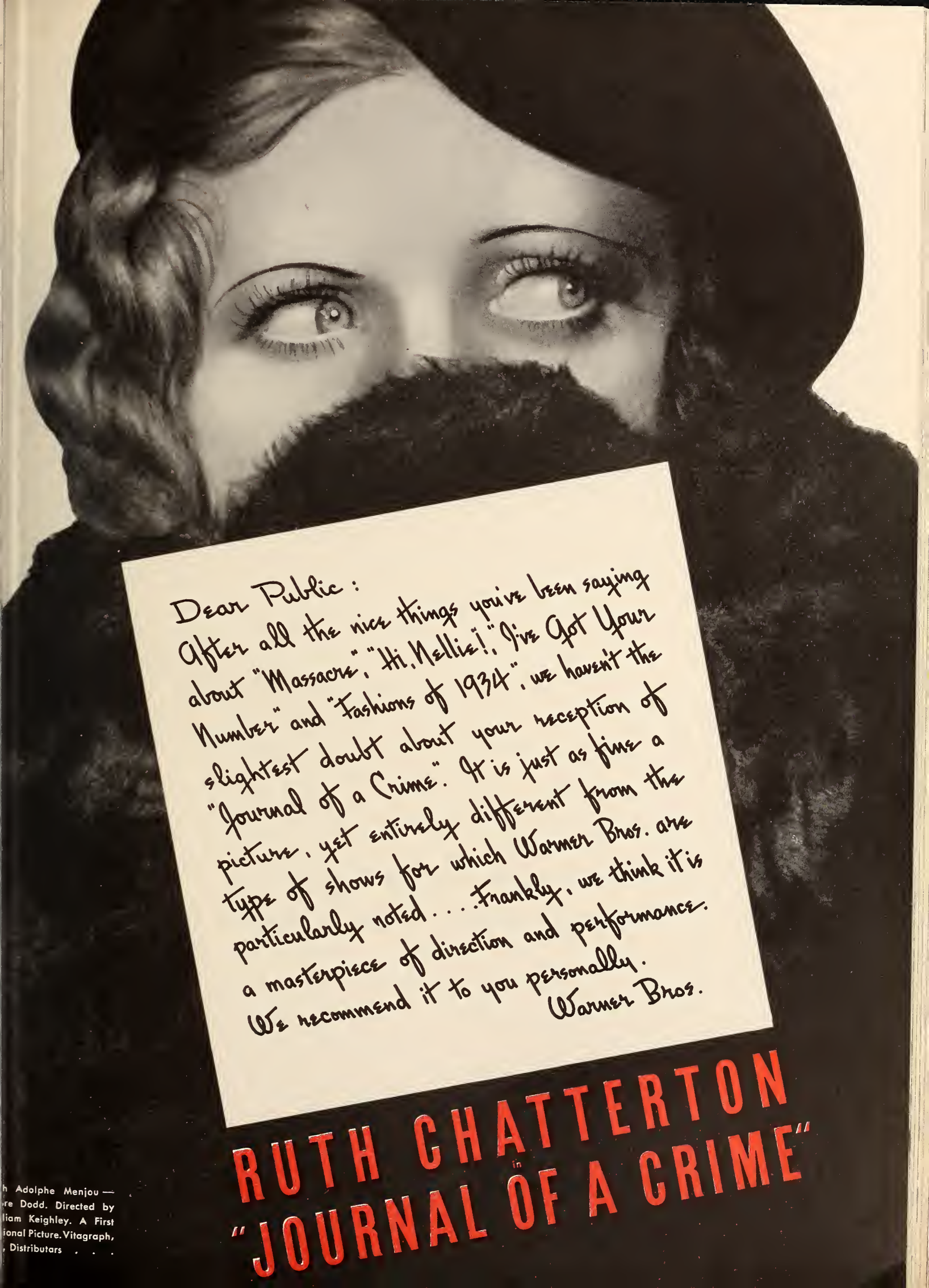
Rose in Albany Post

ALBANY, March 5.—Jimmy Ros temporarily in charge of the lo First Division exchange, Willi Raynor having resigned recently.

Al Friedlander returns from a t of all First Division exchanges latter part of the week.

Warners Sign Del Rio

HOLLYWOOD, March 5.—Dolores D Rio has been signed to a long te contract by Warners and will starred next in "Madame Du Barr Her new contract calls for three p tures a year, with her reporting Warners after completing one m under her present Radio contract.



h Adolphe Menjou —
re Dodd. Directed by
liam Keighley. A First
ional Picture. Vitagraph,
, Distributars . . .

Milwaukee

MILWAUKEE, March 5.—SAM SHURMAN, representing affiliated national distributors on the Milwaukee grievance board, saw the light of day in St. Louis and has been in the industry almost one month since the bottle was taken away. His earlier ventures embraced operation of theatres in Moberly, Mo., and in West Frankfort, Ill., three years as head booker for General Film in St. Louis, manager in Memphis for Unicorn, manager in St. Louis for Fox and at one time salesman for Warner Features when product was hotcha in one, two and three reels. For 14 years has his association with M-G-M and its predecessor company, Goldwyn, persisted, having been appointed Milwaukee manager for the latter organization on July 20, 1920, and occupant of the same post since the inception of M-G-M. He is secretary-treasurer of the Film Board of Trade.

L. GEORGE ROSS, representing unaffiliated distributors on grievances, is a Down Easter. Birthplace: Burlington, Vt. Date: Jan. 2, 1895.

He has served as salesman for World Film in 1914, and for Mutual, and later was with Robertson-Cole. Later he was connected with Pathe as special representative and then was branch manager for F. B. O. in New Haven and Albany. Ross resigned as manager of the Universal Minneapolis exchange to become branch manager of Columbia's Kansas City exchange on May 12, 1930. He was transferred three years ago to Milwaukee as manager for Columbia, his present post, and is sergeant-at-arms of the Film Board of Trade here.

DAVID E. WESHNER, representing affiliated exhibitors on grievances, was born in Brooklyn, N. Y., on Nov. 11, 1894, graduated the Bushwick High School there in 1913 and New York University in 1917 with an A.B. degree. From 1917 to 1918, Weshner taught at the Kohut School for Boys at Riverdale-on-the-Hudson and from 1919 to 1921 was engaged in newspaper and publicity work. In 1922, he was treasurer of the Tanney Printing and Publishing Co. Next year found him editor of *Motion Picture Post* and the two years thereafter president of the Weshner-Davidson Advertising Agency, which handled general exploitation for independent companies, notably Charles C. Burr who, at the time, was producing the Johnny Hines comedies. Rounding out his experience further, Weshner then went to Hollywood as production manager for Action Pictures, Inc. It was in 1928 that he garnered his initial experience in exhibition as directer of advertising and publicity for the Stanley-Fabian Corp., operators of a string of theatres in Northern New Jersey. When that circuit was acquired by the Stanley Co. of America, which, in turn, was absorbed by Warners, Weshner was named general manager with the destinies of 60 theatres in his hands and on his mind. Subsequently, he was transferred to the Warner home office in charge of national theatre advertising, publicity and exploitation. His shift to Milwaukee where he is now Warner zone manager came in the nature of a real compliment, for Warner theatre executives in New York knew they were turning over to Weshner the toughest operation in their national picture.

He has been here since November of last year and has, as his committment, approximately 23 theatres, including the Warner (3,000 seats), key house, and Strand (1,406) as a subsequent run downtown as well as the following neighborhood Milwaukee houses: Egyptian (1,400), Granada (1,100), Juneau (1,100), Kosciusko (700), Lake (900), Riviera (1,200), State (1,206) and Venetian (1,400). In the territory, Weshner has these: Appleton (750) in Appleton; Retlaw (1,126) in Fond du Lac; Bay (2,200) in Green Bay; Kenosha (1,500) in Kenosha; Capitol (2,200) in Madison; Strand (650) in Oshkosh; State (999) and Venetian (1,500) in Racine; Majestic (800) and Sheboygan (1,400) in Sheboygan. In Michigan, the 809 seat Lloyd in Menominee. Weshner is a director of the M. P. T. O. of Wisconsin and Upper Michigan, a national M. P. T. O. A. affiliate and already is well liked here, despite the brevity of his stay.

FRED S. MEYER, representing unaffiliated exhibitors on grievances, started in the theatre business 24 years ago as an usher in the famous old Iroquois theatre, Chicago. He later served as branch manager for Universal and General Films and gained a reputation as an exhibitor while operating the Palace in Hamilton, O. Later he operated Universal theatres in Kansas City and served as general manager of the Milwaukee Theatre Circuit when Carl Laemmle was a circuit operator of some power here. At present, Meyer is managing director of the Alhambra, 1,900-seat local first run house. He is president and general manager of the M. P. T. O. of Wisconsin and Upper Michigan, Inc.; national secretary of the M. P. T. O. A.; chairman of the public relations committee, M. P. T. O. A., and a past president of Rotary Club. He was extremely active in Washington during code deliberations, spent many weeks away from his home, family and business and suffered a setback in his health as a result of the energies he devoted to the job at hand. During the last M. P. T. O. convention here, Meyer came in for public laudation at the hands of Division Administrator Sol A. Rosenblatt, who described him as one of the most conscientious of exhibitor leaders and a credit to the industry at large. Meyer is married and has two grown children. Stan is manager of the Alhambra, Universal's first run outlet here. Delphine is a college student and an accomplished musician.

PIERCE BITKER, impartial member on grievances, is secretary of the Milwaukee Chamber of Commerce.

R. T. SMITH, representing affiliated national distributors on clearance and zoning, dates back his entry into the film business almost 20 years. Here are some of the facts in his service record: From 1918 to 1920, Smith was a salesman for the Superior Screen Co. From 1920 to 1923, he was a salesman for Select. The next two years found him selling film in Chicago for Warners and a transfer in 1925 to Milwaukee, also as a salesman for Warners. He has been manager here for that company for the last nine years.

GEORGE L. LEVINE, representing unaffiliated distributors on clearance and zoning, was born in Chicago on July 1, 1891, and has been connected with the business ever since graduating from grammar school. He has been manager of the local Universal branch for 13 years during which he was once promoted to short subject sales manager in New York for five months. At the request of exhibitors in this territory who signed a petition and sent it to Carl Laemmle for his return, he came back to Milwaukee as local branch manager. Before coming to Milwaukee, Levine served as short subject sales manager for Universal in Chicago for six years, where he started as a salesman. Prior to that, he was assistant t A. W. Roth at the Iola Theatre an left there to manage the Alvon i Chicago, from where he went to joi Universal. During his years her Levine served as president of th Film Board of Trade for five consecu tive years and, during the days of th old arbitration boards, also served a an arbitrator.

HAROLD J. FITZGERALD, representin affiliated first runs on clearance an zoning, has been in the theatre bus ness for 20 years. He started wi General Film in Chicago and, whe the company opened an office in Mi waukee, he came to this city as book and office manager. Subsequently, h served as manager for Statewi Film, First National and Education here. At the formation of the Sa circuit he became general manag and remained with the organizati when it was taken over by Hayde Stone and Co., New York banke Since then he has served as gener manager for Fox Midwesco theatr in this territory and is now servi in a similar capacity for the Wisco sin Amusement Enterprises, Inc., outgrowth of the bankruptcy of Fo Midwesco in this section. The co pany today operates only a hand of his quondam list, including t Davidson (687 seats) and Ode (526) in Beaver Dam; Fond du L (1,800) in Fond du Lac; Colon (650), Orpheum (1,050) and Stra (937) in Green Bay; Orphe (2,246) and Parkway (1,100) Madison; Rialto (800) in Marinet Strand (1,400) in Madison; Mil (1,200) in Milwaukee; Fox (5C and Lyric (900) in Stevens Poi Grand (1,800) and Wausau (1,1C in Wausau and Paradise (1,239) West Allis. Flagship of Fitzgeral theatre charges is the 2,300-seat W consin, Milwaukee first run outlet fo selection of Fox and M-G-M, and erated by the Fox Wisconsin Co Fitzgerald is a member of the boa of the M. P. T. O. of Wisconsin a Upper Michigan.

TOM SAXE, representing unaff ated first runs on clearance and zo ing, is affiliated with his brother Jo E., in the operation of the Sa Amusement Management, Inc., op ators of the first-run 2,200-sea Capitol in Madison, six neighborho houses here, and theatres in Oshko Kenosha and Janesville, comprisi a circuit of 10. Saxe has been c nected with exhibition in Wiscon for more than 25 years. In Theatorium he operated Milwauke first film theatre and is credited some with the discovery of Samuel Rothafel, whom he brought fr Minneapolis to manage the Alhamb here. The Alhambra was the fi big start for Saxe in the building his circuit which was climaxed by erection of the Wisconsin. Ab five years ago the Saxe circuit over 40 theatres was acquired Fox Midwesco and, until its ba ruptcy early last year, Saxe remai in retirement. With his brother is again active in building up an dependent circuit, the most recent quisition being the Capitol in Ma son, erected six years ago by a gr including Saxe. His houses incl the Jeffries (1,200 seats) in Jan ville: Orpheum (1,500) in Oshko Garfield (1,000), Mirth (700), M ieska (2,500), Princess (800), Ti (900) and Uptown (1,800) in M waukee and Oshkosh (1,450) Oshkosh. The circuit is affilia

(Continued on page 6)

Who? What? When?

Twelfth instalment in a biographical series of the men who make up the code boards.

Pittsburgh's Impartial Men Young Lawyers, Well Known

Who are the impartial members of Pittsburgh's code boards? These thumbnail sketches supply the answer:

AARON M. JAFFE, impartial member on grievances, is a native Pittsburgher. He is 30 years old, attended public school and high school here and matriculated at Harvard in 1920, graduated in 1924 and from Harvard Law School in 1927 with highest honors. He opened his law practice in Pittsburgh in the fall of 1927 and has been one of the city's most successful young lawyers. From 1930 to 1934 he served as assistant city solicitor under the late Mayor Charles Kline and former Mayor John Herron, leaving that post just two months ago with the start of a new city administration. He has offices there in the Plaza Building and is married.

Jaffe has never been connected with show business in any capacity.

SAMUEL J. HORVITZ, impartial member on clearance and zoning, is likewise a native Pittsburgher and an attorney. He is 47 years old. He graduated from Harvard College in 1908 and attended law school at Harvard and the University of Pittsburgh, graduating from the latter in 1911. For a time, he served with the U. S. Government in the Department of Labor, investigating labor conditions in Pennsylvania and New Jersey. He has been engaged in the general practice of law in Pittsburgh for the last 22 years and has offices in the Vandegrift building. Horvitz is married and has one daughter, Rita Lou.

Like Jaffe, Horvitz has never been connected with show business in any capacity.

Don't Judge Code Yet, Is Authority Plea

(Continued from page 1)

with 2,400,000 and electrical equipment with 1,000,000 plus, employ more persons than the film industry. It then goes on to point out "what remains to be done before the full effectiveness of the provisions of the code may be measured in terms of coordinating a great industry with the national recovery plans."

"Principal industry interest in the code at the present time centers around the appointment of 62 quasi-judicial boards in 31 cities of the country," the brief continues.

"Preliminary to the appointment of the local boards, nominations from exhibitor and distributor organizations and individuals were solicited by the Code Authority and nearly 2,000 names were submitted for appointment to 372 places on the boards. Fifty-two local boards have been appointed by the Code Authority to this date, with the prospect of the remaining 10 being appointed within the next week."

Discussing the effects of the President's emergency reemployment proclamation, the brief says this resulted in an immediate material increase in the number of employes added to the payrolls and a material increase in the amount of weekly wages."

Specific and accurate investigations have been made in each general division of the industry—production, vaudeville, presentation actor labor, and distribution and exhibition, the brief continues.

Cites Studio Increases

In the production field, it points out, during the months of October and November, 1933, before the code went into effect, but subsequent to the President's emergency reemployment agreement, an average of seven features in production employed 478 persons per day per picture. In December and January this year at the same studios, with five pictures in work, 603 persons per picture were employed, showing an average of 20 per cent increase in numbers employed.

"A checkup with several of the other major studios," the brief continues, "reveals that this percentage of increase generally exists and in some instances, the increased percentage of employment in the months cited above will run as high as 35 per cent. It is a conservative statement therefore, that the motion picture studios have increased employment in numbers of persons daily engaged between 25 per cent to 35 per cent since the code became effective on Dec. 7 last.

"An accurate estimate of increased labor costs in motion picture production in a second Hollywood studio revealed the following: With the same number of pictures produced in 1934, under the code schedules of labor wages as was produced in 1933, the code provisions will require a daily increase of 377 employes to a total increase in the year's production costs amounting to $500,000.

"At a third major studio in Hollywood, the following comparison is made: The week ending June 17, 1933, 2,039 employes received in wages $234,813.57. For the week ending Oct. 14, 1933, (during the period prior to the operation of the code provisions, but within the period of the President's emergency reemployment agreement schedules) there were 3,976 employes engaged to a total payroll amount of $327,760.49 for the week. This was an increase of 1,937 employes over the week ending June 17, 1933, and an increased payroll in the amount of $92,955.92 for the week.

"In the larger independent studios in Hollywood, the increased employment has been approximately 20 per cent in laboring divisions and to an appreciable extent in staff and office workers. The cost of other factors pertaining to production is also increased without any apparent increase in quality of material purchased. Motion picture productions demand unique personal service in the key positions of the unionized labor divisions. In most instances these key men have insisted upon and are receiving wages far in excess of the code provisions. The code is working employment hardship on people who were steadily employed and upon the independent producer, but is advantageous in spreading employment."

Find 4,000 Actors Busy

In discussing vaudeville and presentation actor labor the brief says a survey by a special committee of Code Authority reveals that approximately 4,000 actors are engaged weekly in vaudeville and presentation houses, with more than 700 of these working as resident artists in de luxe spots. More than 3,000 are touring units, ranging in size from individual acts to groups as high as 50.

"The code provisions establish certain minimum wages which mitigate seriously against the appearance of untried talent," this section continues. "The custom in the vaudeville and presentation fields for many years has permitted ambitious young artists to prove their talent and merit through the medium of tryout engagements, a practice which has been seriously disturbed and in some sections completely eliminated due to some of the schedules of minimum wages. A complete and comprehensive report of these provisions is in the hands of the division administrator and it was at his request that the survey herewith mentioned in general terms, was made."

Distribution is covered briefly by saying that an unnamed national distributor reports the home office and 31 exchanges have increased employment by 83 persons with an annual increase in payroll of $700,000.

"Another national distributor," the brief continues, "in the week ending June 17, 1933, employed 888 persons in 31 exchanges to a total weekly payroll of $28,981.05. In the same film exchanges for the week ending Oct. 14, 1933, there were 949 employes, an increase of 61, and a weekly payroll of $31,115.21. The home offices increase in the same weeks was 25 persons, or a total of 709 persons receiving $45,962.35, an increase of $1,116.48 over the week ending June 17, 1933."

Increases in average weekly payrolls in the exhibition field are estimated at 10 per cent to 15 per cent with reductions in the hours of labor. In the southeastern territory the increase in wages is estimated at 13 per cent and in number of employes at 17 per cent.

"In one of the major circuits," it is stated further, "the number of employes engaged during the week ending June 17, 1933, was 4,018 persons, receiving a weekly payroll of $120,281.68. In the same theatres which are situated in numerous cities east of the Mississippi river, during the week ending Oct. 14, 1933, there were 4,516 employes, an increase of 498 who receive a weekly payroll of $133,309.11, a weekly increase of salaries of $13,057.43.

Further Increases

"Another major circuit of theatres has made a very exhaustive computation of additions to payroll for all controlled theatres of the company for the period when the temporary code went into effect towards the latter part of August until the time when the permanent code of the motion picture industry went into effect in December. There was no set date for making operative the schedules of the industry code and in one of the large cities the actual code schedules covering labor wages were put into operation a month prior to the effective date of the code. For the month of January when the code was in effect, the number of persons employed was substantially the same as in the preceding period, although there was a minor decrease in payrolls due to some changes in the code which were more favorable to the employer than those in the temporary code. During the temporary code period of approximately four months this theatre circuit's total increase, which was clearly and unmistakably attributable to the code, was $284,816.54, or a total increase in the entire theatre payroll of 14.6 per cent. During the same period there were other additions in payroll which were at least partly due to the code and may have also been partly due to other causes which it was impossible to break down into code and non-code exhibits. This item was $110,822.63. Therefore, the total increase during the temporary code period, that is to say, from August until mid-December, was $395,639.15, or a total increase in the payroll of 20.2 per cent during the period in question. The total decrease from the time the permanent code was put into effect until the end of February, 1934, in the theatres of this circuit was $5,310.62."

Box-Offices on Upgrade

Box-office receipts have been on the upgrade, the brief continues, so that part of the increased expense due to larger numbers of workers and higher payrolls has been compensated for. Surveys by trade paper editors are cited to show that this increase has affected enough other industries to aid the film industry.

No definite percentages of increase are cited, but it is stated that the increase has been greater in key cities than in smaller spots.

"In general, it may be said that business conditions continue their inclination to be spotty, or in other words, good business depends upon strong attractions," the brief goes on. "Hence improvement which has been noted in receipts at picture theatres may be ascribed to better product than to any general outpouring of the public going to a picture merely because it is a picture. It may be construed that the public is still shopping for its film entertainment, but at least it now has the money to buy when it finds something it wants to see. This was not true a year or 18 months ago when good pictures had to struggle to do a fair business.

"Along these lines there has been a noteworthy improvement in the entire south. Texas can serve as an example where the Inter-State Circuit revived vaudeville in its theatres in a form known as units, and through this combination of pictures and vaudeville this circuit is estimated to have increased its grosses as much as 300 per cent as against an increased overhead of 50 per cent. While this may be an isolated example, and while it is perhaps too soon to say that it is indicative, it may be conservatively stated that the results obtained by this theatre circuit have influenced vaudeville men to make a close study of the situation and has revived hope for a branch of the show business which was generally adjudged to be dormant.

"A recent survey in the middle west of picture houses notes that many of the theatres there are doing better gross business at the matinees than at night. In general this is ascribed to cheaper afternoon prices, money in the hands of CWA workers, and the shorter working hours plus a continued tendency to stay home at night to listen to radio programs."

Cites M. P. Daily Reports

Obviously referring to MOTION PICTURE DAILY'S weekly tabulations of key city business, the brief goes on:

"From another prominent trade publication the Code Authority has received comparative figures of attendance for the calendar weeks beginning Oct. 7, 1933, and ending Feb. 24, 1934, from the cities of Boston, Buffalo, Chicago, Cleveland, Denver, Detroit, Hollywood, Indianapolis, Kansas City, Los Angeles, Minneapolis, Montreal, New York, Oklahoma City, Omaha, Philadelphia, Portland, San Francisco and Seattle. The theatres are mostly first run houses. The analysis shows the highest weekly receipts of the period were for the week ending Oct. 21 last and the lowest weekly receipts were reported for the week ending Dec. 23 last."

The trip of Terry Ramsaye, editor of *Motion Picture Herald*, which

(Continued on page 6)

Salary Deadline April 7

Washington, March 5.—Administrator Hugh S. Johnson today announced Division Administrator Sol A. Rosenblatt had been given until April 7 to make a report on his investigation of film salaries. At the same time the NRA made formal announcement of the extension until March 10 of the deadline by which to file assents to the code.

Report Lays Many Gains To the Code

Means Favors Federal Rule On Admissions

KANSAS CITY, March 5.—The recommendation that "any industry regulation of prices to which 80 per cent of its members agree should be enforceable through government agencies" is contained in a letter sent by the I. T. O. of Greater Kansas City over signature of Jay Means, president, to Administrator Hugh S. Johnson and Division Administrator Sol A. Rosenblatt.

Drafted by Means with advice of counsel and after obtaining the views of organization officers, and believed to represent the sentiments of I. T. O. members, the letter was sent to Washington in line with Administrator Johnson's invitation for criticism of codes.

Included was a paragraph pertaining to the admission price war now raging in Kansas City, concluding with the suggestion for Federal regulation of admission scales. Asked to elucidate apart from the letter, Means said I. T. O. counsel is preparing a zoning and protection schedule for Kansas City, and the recommendation will be made that once minimum admissions are set, they should be safeguarded by Federal supervision.

Says Most Houses in Accord

"In Kansas City we have about 60 theatres," Means said in the letter to Johnson and Rosenblatt. "A great majority of them are in accord as to fair admission prices, double bills, premiums, etc., but those who are profiting by cut-throat practices are causing all to go down into a mire of price-cutting, etc. That is not good business, and will create an impression with our public that admission prices in the past have been excessive and will add to their belief that all parts of the industry are rolling in wealth.

"This impression would be false, as many of our theatres are in financial distress and this price war may be the finish of some of us; whereas a proper admission price could save us."

The letter states that the structure of Code Authority and local boards gives the distributors and affiliated theatres an unfair advantage. "The personnel of the appointed boards is excellent, but from the Code Authority all the way down we do not believe the interests of the independent exhibitor are represented by sufficient votes to insure them equal voting power as against the combined interests of the distributors and the chain theatres," it declared.

Because the labor situation has been a sore spot in Kansas City for a long time and because theatres are involved in a dispute with the operators' union and a new agreement, due Dec. 1, 1933, has not yet been reached, the I. T. O. head deals with code labor provisions at length.

"The code undertakes to crystallize the I. A. T. S. E. wage scales in force in any particular territory as of Aug. 23, 1933. These wage scales were not uniform; they had been arrived at without reference to any general underlying principle. . . . They were not the result of peaceful collective bargaining on the part of the operators.

"The exhibitors question the fairness and the justice of the government's promulgation of a code which adopts wage scales created by such processes," the letter continues. "The code in this respect does not reflect an impartial inquiry by the government into what the wage scale should be, taking all factors into consideration." The administrators further were informed that "the mere fact that the exhibitors were paying such scales on Aug. 23, 1933, is of no significance whatever" because of union tactics permitted over a period of years.

". . . Wage scales in effect on Aug. 23, 1933, bore no relationship to the amount of skill required, the hours employed, or the conditions involved. In this territory the hours are short (4½ hours in the subsequent run houses); the work is not highly skilled; the local union here has on many occasions sent to the booths new men with little, if any, experience.

Further Criticism

Commenting on the provision against non-theatrical showings, Means states that Section (b) of the provision "apparently nullifies same." The section referred to permits certain non-theatrical showings contrary to any restrictions imposed by local grievance boards.

Other criticism and suggestions:

"Regarding the requirement that an exhibitor shall buy a certain amount of shorts in order to buy features, it is extremely unfair and un-American in principle and is also contrary to an agreement between the distributors and exhibitors before the Department of Justice some years back as to unfair trade practices.

"Permitting distributors to designate dates for percentage pictures as a requirement for purchasing the remainder of the product is unfair and of a confiscatory nature.

"We feel that the requirement to obtain a 75 per cent vote against premiums, etc., is too high. We feel that a two-thirds vote would be more equitable.

"The possibility of eliminations under the provisions are practically nullified. The exhibitors are limited to the exclusion of one picture out of each 10, and by a method that is not at all clear."

Now It's Exclusive Protection

Kansas City, March 5.—Several leading exhibitors here are reported toying with a new gadget called "exclusive protection," while at least one major distributor is declared to be willing to go for the idea.

At a meeting of the ITO today, a resolution by W. H. Fulton was passed placing the association in favor of a continuance of current city protection based on admissions and opposed buying of protection over competitive houses. The majority voted for the idea, but President Jay Means cast no ballot.

Fulton introduced the resolution as an indication to the code zoning board how exhibitors stand on the question of protection.

Williams Denies He Quit Joint Meeting

OMAHA, March 5.—Charles E. Williams, M.P.T.O. president, denies he and other members walked out of a joint meeting with Allied recently. Williams says he left when the regular meeting finished and Calvin Bard asked interested exhibitors to remain for discussion of a new organization.

He also says no general protest is being made against the appointment of J. J. Spandeau to the grievance board for this territory, but he is objected to by independent distributors who feel they should have a representative in his place and also by certain groups of exhibitors.

Jersey Allied Board Will Meet in April

Directors of Allied will be called into session the latter part of April by Sidney Samuelson, president, to discuss various policies of the organization. Abram F. Myers, general counsel, arrives from Washington this week to confer with Samuelson on naming six vice-presidents to compose the national advisory cabinet.

The directors will converge either at Chicago, Washington or in New York. Date is yet unsettled.

Who? What? When?

(*Continued from page 4*)

with the M. P. T. O. of Wisconsin and Upper Michigan, Inc., with A. D. Kvool, general manager, on the board.

W. L. AINSWORTH, representing unaffiliated subsequent runs on clearance and zoning, is operator of the Garrick in Fond du Lac, a 1,100 seat house and the Shawano at Shawano, Wis., a 500 seat house. He has been an exhibitor in Fond du Lac for 20 years and is secretary of the M. P. T. O. of Wisconsin and Upper Michigan, Inc.

GEORGE FISCHER, second representative of unaffiliated subsequent runs on clearance and zoning, has been in the theatre business for approximately 34 years. He started as a program boy when the Alhambra first opened in this city. Later he was connected with Saxe Brothers for 11 years and with the Woodlawn in Chicago for two years. For the last 12 years he has been operating his own theatres which include the National with 1,400 seats and the Milwaukee, 1,000 seats, both local neighborhood houses; the Capital in West Allis, 750 seats, and the Vogue in Kenosha, a 600-seater house. He is member of the board of directors of the M. P. T. O. of Wisconsin and Upper Michigan, Inc., and active in Rotary.

JOSEPH G. RHODE is impartial member on clearance and zoning.

Don't Judge Code Yet, Is Authority Plea

(*Continued from page 5*)

resulted in a series of articles is referred to as follows:

"One of the editors has just returned to New York from a two months' expedition to Hollywood by motor, stopping in all manner of town from key cities to tanks along the southern routes and he found among the exhibitors, that in territories where CWA money was being spent there was an up-turn at the box office. Also the cotton and tobacco belts were having their very best season in some years due, it was reported to the effect of various Federal governmental measures such as payments for the ploughing under of cotton. His general conclusion was that the box-office curve is directly responsive to the employment curve.

"Another trade paper editor reports a very generous increase in attendance in theatres since last August and that there can be neither question nor challenge of the statement that theatre receipts viewed from a broad national point of view have improved from 12 per cent to 15 per cent. He states that during a tour of the middle west, theatre owners everywhere were much encouraged by the extent of the CWA program."

The brief concludes with the statement that 61 major producing companies and nearly all of the leading independents have signed the code, and have 114 distributing companies, including all the majors.

"The time has not yet arrived for criticism or praise," it says. "The present period is reserved for hard work and lots of it, and a closer commenting of efforts with the administrator's office, to bring realization of the fact that as the nation goes, so goes the motion picture industry."

Cleveland Raises Queries on Board

(*Continued from page 1*)

Code Authority which, they claim, throws the balance of power in favor of distributors.

There is also some doubt in the minds of both exhibitors and distributors, affiliated and unaffiliated, as to how the clearance situations can be satisfactorily handled by two members who do not live in Cleveland and who are not familiar with local conditions. These two members are Martin Smith of Toledo and John Huebner of Marion.

Cutts Heads New Ore. Exhibitor Uni

PORTLAND, Ore., March 5.—Oregon Exhibitors' Ass'n. was formed at a meeting here today. William Cutts, Kenton Theatre, was named president; George Appleby, Hamrick Theatres, and Ted Gamble, Parker's Portland Theatres, vice-presidents; Ruth Doyle, secretary-treasurer. Greater harmony in the industry in this state was the keynote of the gathering. Wage scales and other matters having to do with the code were discussed.

Need Seen by President to Tighten Codes

(Continued from page 1)

unfair methods of competition. Still more jobs must be provided by industry, he declared, pointing out that the Federal Government cannot continue indefinitely its present effort to provide temporary employment for the support of the millions of people who, directly or indirectly, now are taken care of in this way.

Following the formal addresses of the President and other officials, the code authorities settled down to a three-day discussion of code conditions, particularly of the defects in codes and code compliance disclosed at last week's "criticism" hearings and embodied in Administrator Hugh S. Johnson 12-point program.

Levey to Seek Aid Of Justice Office

Department of Justice help will be asked under President Roosevelt's new order issued late last week and making rulings of NRA labor boards final, according to Charles C. Levey, secretary-treasurer of Local 118, Theatre and Amusement Employes' Union, who declared yesterday that resignations from the union received during the past few days were evidence of intimidation on the part of the circuits and constituted a violation of the Regional Labor Board's rulings at a hearing of representatives of the union and the circuits last week.

Levey stated that yesterday he received registered letters from ushers whose resignations had been received earlier explaining that they had resigned "because our employers told us to." He declared that in every instance the letters were signed.

A further hearing before the Regional Labor Board has been set for Wednesday. Levey said that a satisfactory settlement would have to be reached in advance of a meeting of the executive committee of the local, Thursday, if a strike of ushers was to be averted.

Milwaukee Theatre Union Causes Stir

MILWAUKEE, March 5.—Organization here of a Theatre Cashiers', Doormen's and Ushers' Union is developing plenty of headaches for local exhibitors.

Members of the union, complaining against being paid the code's minimum wage of $10 by first run houses and contending they were not represented at code hearings, sought relief from theatre operators, but were unable to obtain any concessions at meetings with Fred S. Meyer, head of the I.P.T.O. of Wisconsin, who represented the exhibitors at the confabs. Since then ushers have been picketing some of the de luxe houses.

A former doorman and former usher at the Warner here have filed charges against the theatre with the NRA regional labor board at Madison, alleging that they were discharged for union activities.

St. Louis Theatre Tussle Versus F. & M.-Warner On

(Continued from page 1)

a deal with the committee of bondholders running the Missouri, Ambassador and Grand Central whereby there would pass to them acquisition of the three houses on a 15-year deal which calls for an aggregate rental of about $175,000 a year and increased rentals as the lease gets older. Judge Davis of the Federal Court has to approve the transaction before it can become operative.

The situation is sizzling because these three theatres, originally Warner properties under the deal made about five years ago when the Skouras were bought out, own the third mortgage bonds and are understood to hold several millions in equity on the properties which those close to the Warners declare will be wiped out, or certainly endangered, in the proposed deal in which Koplar is the prime mover through his success in financially interesting M. Snyder, a civil engineer.

Operated Jointly

The Missouri, Ambassador and Grand Central, following their acquisition by Warners, were operated jointly by the company and Paramount. When Paramount went into bankruptcy, the Warners felt the load was too heavy to carry alone. Shortly thereafter, the triumvirate of theatres went into receivership and eventually passed to Clarence Turley for operation under Tom K. Smith, whom the court had named as receiver in charge.

The situation is complex, but also interesting in that Spyros Skouras, despite a contract keeping him out of the local theatre field until April of this year, is reported to have stepped into the three-theatre picture because of the fact that he is personally on the first and second mortgage bonds. Whether or not this connection prevails further down the line and embraces the new development having to do with the Missouri, Ambassador and St. Louis is not known.

Regardless of whether or not Warner product would have substantial play downtown, executives of that company apparently have other ideas. Those ideas have crystallized into fast action with the signing of a lease, reported to run 15 years, on the Shubert Rialto, a 2,000-seat "legit" theatre at Grand Boulevard and Olive as the new first run home for Warner product in St. Louis. The opening date is March 31 with "Wonder Bar."

New Circuit Talked

The deal was made with Cella and Tate, well known locally. The company owns the Orpheum, the Grand Opera House, the American Hotel, The Annex, the Central National Bank Building and the Fort Erie (Canada) and Hot Springs (Arkansas) race tracks. The firm is reputed to be extremely wealthy. Tate built the George M. Cohan Theatre and the Fitzgerald Building in Times Square, New York.

The rumor is afloat that the Warners, aroused by the proposed disposal of the Missouri, Ambassador and St. Louis, contemplate bulwarking their direct invasion of the first run field with a circuit to tie in further with the St. Louis Amusement Co., a Warner subsidiary which operates in the neighborhoods under the aegis of Leto Hill.

In the meantime, reports hard to corral, have it the Rialto not only will house Warner output but another major line of product as well. Although currently fortified with Fox, Columbia, RKO and Paramount, F. & M. may lose one of these outputs through pressure exerted by the Warner national film buying power.

Allied Operators Summoned to Court

Supreme Court Justice Shientag yesterday signed an order, returnable today, calling upon Allied M. P. Operators' Union to demonstrate why it should not be adjudged a company union and why an injunction should not be granted restraining it from picketing New York theatres, including grind houses on West 42nd St. Local 306 has consistently maintained Allied is a company union, and financed and sponsored by the I.T.O.A.

Warner Trade Show Today in 39 Cities

Warners today is holding a national trade showing of six new pictures in New York and 38 other cities of the United States and Canada. The New York show will be at the Hollywood, for exhibitors from the entire metropolitan area. MOTION PICTURE DAILY has caught all of them. Pictures and dates of review: "As the Earth Turns," Feb. 15; "Gambling Lady," Feb. 16; "Wonder Bar," Feb. 17; "Journal of a Crime," Feb. 27; "Jimmy, the Gent," March 22; and "Harold Teen," March 5.

John Harris Installs K. C. Club Officials

KANSAS CITY, March 5.—Frank Hensler, M-G-M manager, was formally installed as president of the Kansas City Variety Club at the Hotel Kansascitian tonight by John H. Harris, president of the national Variety Club of Pittsburgh, and James G. Balmer, national treasurer. Harris installed the other officers as well and presented the club's charter. A large turnout of charter members marked the affair, among those present being members of press and clergy. Later Harris left on The Chief for California.

Will Start Revenue Bill Hearings Today

WASHINGTON, March 5.—Hearings on the revenue bill will begin tomorrow morning before the Senate Finance Committee with the appearance before it of Secretary of the Treasury Morgenthau. The views of industry, however, will not be heard until next week, it being planned to spend this week in hearing government experts and in executive consideration of the measure.

Autonomy for Local Boards, Authority Aim

(Continued from page 1)

will be reimbursed fares and also paid hotel bills. The hotel reimbursement will not include meals.

Under consideration is a plan to eliminate alternates, but where certain members are forced to be absent from sessions, the clearance and zoning or grievance board will select from the opposite board a member of the same standing who does not attend. In other words if an unaffiliated exhibitor on the grievance board does not answer roll call, the board then will select an unaffiliated exhibitor of the same standing on the clearance and zoning board. The man selected acts only for that session.

However, if no agreement can be reached on the man to pinch hit for the absent member, the secretary of the particular board will wire to the authority, which in turn will name a man.

All boards will have rotating chairmen, the top man to be appointed unanimously at the beginning of each session. Code Authority names its new chairman at the end of every gathering.

Start of clearance and zoning and grievance boards awaits approval of rules by the authority. This is expected at the next session slated for next Monday. Also holding up the boards in some cases is naming of impartial members. As soon as the rules are forwarded to the boards, secretaries will be named.

Recommendations for secretaries in the 31 zones are plentiful. Women's names comprise at least 70 per cent of the list now in the hands of Code Authority.

Princess Winner in Suit Against M-G-M

LONDON, March 5.—Princess Irena Youssoupoff today won her suit against Metro-Goldwyn-Mayer, Ltd., charging she was libeled in "Rasputin and the Empress." She was awarded a verdict of $125,000 after the jury had deliberated two hours. The defendant agreed to cancel all further showings of the film.

The princess charged the character of Natasha, upon whom Rasputin forces himself in the film, was a reflection upon her. Counsel for the film company maintained Natasha was a fictional person. Counsel indicated suits would be filed against theatres in Great Britain and the United States where "Rasputin and the Empress" has been shown.

A statement from J. Robert Rubin, general counsel for M-G-M, yesterday said the company was "shocked at the verdict."

The statement added: "In presenting the picture 'Rasputin' there was no intention of portraying the Princess Irena. The character of Natasha is a purely fictitious one. We are advised by our London counsel that they feel that the judge misdirected the jury and that the appellate court will reverse the trial court. They are applying tomorrow for a stay of execution pending an appeal."



Supervised and Directed by Marshall Neilan

Associate Producer—William C. DeMille

From the play by John Emerson and Anita Loos

Special Musical Compositions by Con Conrad and Ford Dabney

Columbia Pictures
PRESENTS

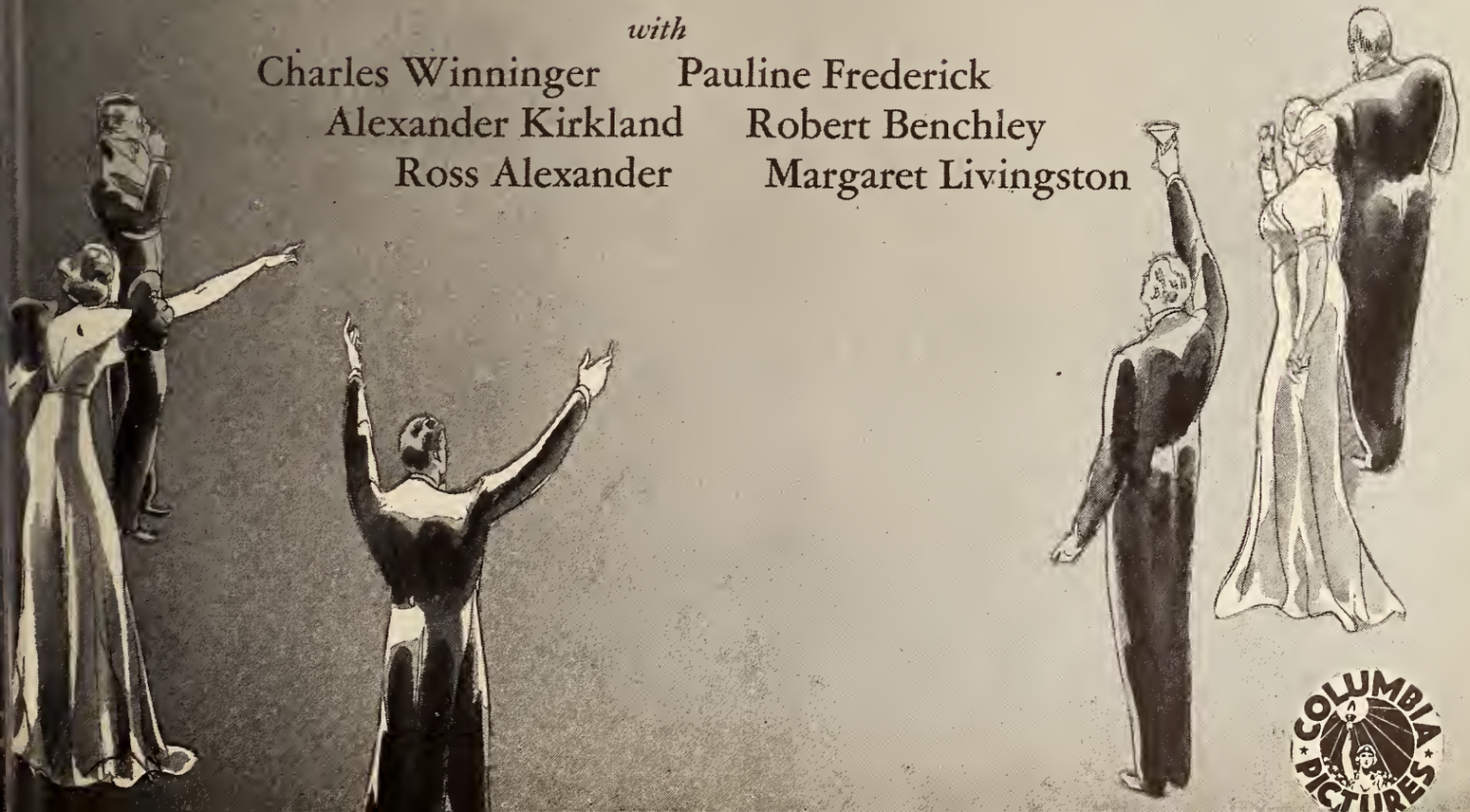
Colleen MOORE

IN

Social Register

with

Charles Winninger — Pauline Frederick
Alexander Kirkland — Robert Benchley
Ross Alexander — Margaret Livingston



COLUMBIA PICTURES

Zero Weather Hits Grosses In Some Keys

(*Continued from page 1*)

"Moulin Rouge" gave a generally good account of itself.

Los Angeles went for "Bolero" and a stage show with such a rush that the Paramount gross leaped to $21,750, topping the normal take there by $4,750. "Queen Christina" was also an important draw at Grauman's Chinese with $16,800. "Devil Tiger" was strong at $7,800 at the 4 Star. Business was pretty dull elsewhere, the slump hitting "The Lost Patrol," "Moulin Rouge" and "Fashion Follies of 1934."

In a generally dull week at Buffalo a dual, "Chance at Heaven" and "Fog" at the Lafayette, developed heavy drawing power and sent the house take up to $7,600. "Queen Christina," on the other hand, even with a strong stage show, took only a normal $15,000 at the Buffalo. Three other duals, "I've Got Your Number" and "Cradle Song," "After Tonight" and "Six of a Kind," and "Dark Hazard" and "Sons of the Desert," failed to stir any excitement.

"It Happened One Night" and "Nana" were the only two bright spots on the Detroit amusement horizon. The former reached $26,500 at the Fox, over normal by $11,500, and the latter was $600 up at $10,000 at United Artists. "Sleepers East," "Good Dame" and "I Like It That Way" couldn't stand the competition.

Twins Top Providence

Two dual bills ran away with top honors in Providence. They were "It Happened One Night" and "The Lost Patrol," with $9,000 at the RKO Albee, and "Enlighten Thy Daughter" and "The Big Race" at the RKO Victory, with $3,000. "Hold That Girl" took a normal $7,000 at Fay's. "The Cat and the Fiddle" and two duals, "Search for Beauty" and "Sin of Nora Moran" and "Mandalay" and "Ever Since Eve," couldn't make the grade.

"By Candlelight" was still an outstanding draw in its fifth week in Minneapolis. The take at the 400-seat World was $3,000, over par by $1,000. "Massacre" and "Hi, Nellie" were in the money at the RKO Orpheum and the State, Minneapolis, with "Son of a Sailor" and "Six of a Kind" holding up to par. "Six of a Kind," "Going Hollywood," "The Last Roundup" and "Orient Express" did average business in St. Paul. The big attraction of the week in St. Paul was "It Happened One Night," with $5,500 at the RKO Orpheum.

"Good Dame" and a stage show walked away with the big money in Denver, $9,000 at the Denham. This is up by $3,000. "This Side of Heaven" was $500 up with $11,000 at the Orpheum, also with a stage show. "Moulin Rouge" reached an average $7,500 at Denver, and "I Am Suzanne" was also par with $3,500 at the Aladdin. "Easy to Love" and "Sons of the Desert" were normal at the Paramount on a split week booking.

And in Pittsburgh

"Search for Beauty" and Ben Bernie's band ran up a terrific $21,000 at the Stanley in Pittsburgh and skimmed the cream off patronage elsewhere. "Tillie and Gus" and "Bedside" on a dual, "Should Ladies Behave?" "All of Me" and "I've Got Your Number" were all weak. "Sweetheart of Sigma Chi" did well at $7,600 at the Pitt.

Every first run in Boston did a strong business with the total first run take going to $110,000, over par by $15,000. "Nana" took $19,000 at Loew's State. "Bolero," with Miriam Hopkins on the stage in "Affairs of Anatol," piled up $34,000. "I Believed in You" reached $19,000 at the Boston. Two duals, "No More Women" and "Sleepers East" at the Fenway and the Paramount pulled well.

"Queen Christina" and "Nana," both holdovers in Montreal, the former at the Capitol and the latter at the Princess, were strong. The former took $13,500 and the latter $9,500. "I Am Suzanne" grabbed a good $11,500 at Loew's. "Carolina" and "Jimmy and Sally," a dual, were weak with $10,500 at the Palace.

"Bolero" was a bright spot in the Oklahoma City lineup. It hit $4,800 at the Midwest. "Gallant Lady" pulled a fine $3,000 at the Capitol, but "Palooka" was weak at the Criterion with $3,800. "Devil Tiger" and Poor Rich" fared badly at the Liberty.

Indianapolis had nothing outstanding in the way of grosses. The figures were: "Palooka," Apollo, $3,000; "Bolero," Circle, $4,000; "No More Women" and "Search for Beauty," Indiana, $3,500; "Advice to the Lovelorn," Lyric, $7,000; "Moulin Rouge," Palace, $6,000.

"One Night" Clicks

"It Happened One Night" swept into a new record for the season in the RKO Palace, Cleveland. The $28,000 take topped normal by $10,000. "Fashions of 1934" garnered a fine $5,500 at Warners' Hippodrome and "She Done Him Wrong" with "Sleepers East" was strong at Warners' Lake. "Moulin Rouge," "Four Frightened People" and "You Made Me Love You," a dual, and "Bedside" failed to hold up.

Philadelphia grosses were slapped by a blizzard, but "Search for Beauty" grabbed a $16,000 at the Earle, "Coming Out Party" had a fine $15,000 at the Fox, and "It Happened One Night" was over par with $14,000 at the Stanley. "Carolina," brought back for a second run at Keith's, was good for $8,000. "Moulin Rouge" reached $5,500 in its third week at the Aldine. "The Cat and the Fiddle," "I've Got Your Number" and "Broken Dreams" were just average.

Chicago came through the zero spell with some good takes. "Moulin Rouge" topped par by $4,000 on a $21,000 take at the United Artists," and "Hips, Hips Hooray" did well, getting $23,000 at the Palace. "Carolina" held up to $8,000 in its second week at the Roosevelt. "Death Takes a Holiday," "Bolero" and "Counsellor at Law" failed to develop strength.

CINCINNATI, March 5.—"Palooka" beat the previous Saturday-Sunday take at the Lyric here by $2,442. Business was attributed to a "Palooka" contest conducted in the *Times-Star* plugging the picture daily.

PHILADELPHIA, March 5.—The Aldine set a pretty record with "Nana" when the box-office registered $3,678 on first week of the run. The picture will probably be held for two or three weeks.

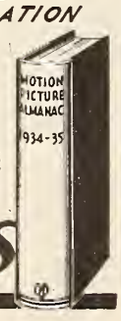
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1934-35

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No Civil War

New Orleans, March 5.—General Francis T. Nichola Chapter, United Daughters of the Confederacy, has written to the censor protesting that one of the titles in "Carolina" reads: "Forty years after the Civil War." The chapter requests that this be changed to "Forty years after the war between the states."

Denver Speculates On Balaban's Visit

DENVER, March 5.—Speculation as to A. J. Balaban's theatre plans was stirred anew here by a visit he made with Marco Wolff. They inspected the Orpheum together and Wolff announced a continuation of the "name" policy for that house.

Balaban insisted his visit here was merely a friendly visit, although there have been insistent rumors he might take over the Paramount and Denver. He said his present interest in theatres was merely that of a former theatre man. He is looking over properties in other cities and indicated he would not be adverse to reentering the show business. Both Balaban and Wolff conferred with Harry Huffman.

Cold Hits Business Hard in Cleveland

CLEVELAND, March 5.—Reports from the Cleveland Chamber of Commerce show that local business was up between 10 and 15 per cent the first three weeks of January, but since then has slipped approximately 20 per cent. Much of this is attributed to the severely cold weather which has slowed up all lines of business.

"One Night" Hits Record

CLEVELAND, March 5.—"It Happened One Night," broke the RKO Palace record since the introduction of stage shows with pictures last October, topping "Little Women" by approximately $5,000. Weather all week was terrible—snow, ice and zero temperature. The stage show was "New Yorkers" with George Givot and a large cast.

Improved Sound Is Predicted Shortl

(*Continued from page 1*)

electrical currents accurately in on millionth of a second.

The device is now being p through its paces at Warners, Par mount, M-G-M, Columbia, Fox an United Artists and is expected to b utilized in actual production in tw weeks.

Mathematical experiments by Er prove it possible to eliminate husk ness of voices and general distortio of sound, it is claimed. According t Pratt, it is now possible to recor sound so accurately it is immateri whether the film is theoretically i termittently stationary or moving a an irregular pace, with the ne equipment.

Sound directors attending th demonstration were E. H. Hanse Fox; Thomas Moulton, United Ar ists; Major Nathan Levinson, Wa ners; Douglas Shearer and Wesle Miller, M-G-M; Gilbert Kurlan Universal; John Livagary, Columbi and Dr. E. M. Honam, General Ser ice Studios.

In a statement, issued in New Yo yesterday, Erpi declared:

"Inasmuch as the new recordi can be reproduced without any add tions or changes of equipment in the tres that have 'Wide Range' repr duction it is anticipated that the im proved sound will reach audiences those theatres in about two months

Balaban Takes on K. C. Supervisio

KANSAS CITY, March 5.—Furth extending Publix decentralizatio John Balaban of Chicago announc here today that he had taken over s pervision of the local Newman a Royal theatres.

Supervision will be direct, Balab determining the policies of operatio etc. Balaban said the reason for t move was because the New York o fice of Publix had virtually reli quished theatre operation and also b cause the local houses are isolated l the middle west partnerships and d centralization. Closer supervision w be possible from Chicago, he said.

No plans for a change in the Ne man's present policy of duals at cents have been made, he said, as prefers to await developments. H did say, however, that duals at a lo price at this house and the entire pri situation here are destructive.

The Balaban organization has abo 100 houses under operation and supe vision in Chicago and Illinois. Na Platt is here looking over operatio with Balaban and will supervise l cally.

Erskin Puts on Lunch

Chester Erskin is staging a pre luncheon today at the Waldo Astoria in connection with a showi of "Midnight," which opens Frid at the Roxy.

To Push Selections

HOLLYWOOD, March 5.—At a me ing today the Wampas passed a res lution to go through with its ba star selections.

hio Tax Program Hanging in Balance

(Continued from page 1)

gislature. In the proposals are a
ee per cent general sales tax, one
cent increase in the utility tax
ed on gross annual business, per-
al income taxes of from one to
per cent.

Sales tax opposition, vehement at
last session, has died down some-
at. Exhibitors' hopes lie in the
sage of this tax, as they believe
would result in the abrogation of
present admission tax.

n the series of meetings conducted
the Independent Theatre Owners
ut the state senators and repre-
atives have been invited to attend
the purpose of impressing them
h the strength of the opposition.

ouse Passes Bill To Curb False Data

(Continued from page 1)

it agency with "intent to defraud"
passed by the House today and
immediately be sent to the Sen-
Penalty of five years' imprison-
t or $5,000 fine, or both, may be
osed.

he legislation was brought into the
se after government officials had
ested they were experiencing diffi-
y in enforcing regulations under
e of the codes.

Guimond to Gaumont

ou F. Guimond, well known film
icist, has been placed in charge
ublicity for Gaumont British Pic-
s Corp. of America by Arthur A.
Guimond replaces Charles F.
ies.

Kansas Bishop Bans Films During Lent

KANSAS CITY, Kan., March 5.—An absolute ban on films during the Lenten season has been declared by Bishop Francis Johannes of the Leavenworth diocese. The pastoral message contained a severe criticism of films other than "educational and cultural" and made a plea for Federal legislation.

Exhibitors are reported deeply concerned. The diocese comprises Kansas City, Kan., Leavenworth, Atchison, Lawrence, Topeka, St. Mary's, Olathe, Paola, Ottawa and smaller parishes.

"Unscrupulous producers of films," said the Bishop, "bent upon enriching themselves at the cost of public decency, do not hesitate to flaunt before the eyes of the public the most shameless and most degrading, filthiest scenes imaginable."

Warners' Drive Clicks

DALLAS, March 5.—Brisk business for the opening week-end of Warners' "As the Earth Turns" at the Melba here capped an advance publicity and advertising campaign that clicked for large space in all local papers. Columns of feature stories and pictures on the world premiere of the Warner picture were increased by the personal appearance of the author, Gladys Hasty Carroll, for the opening performance, Friday.

Here on FWC Financing

Spyros and Charles Skouras, H. W. Moore, Jr., William P. Powers, Edward Zabel and Percy R. Kent have arrived from the coast to confer with Chase Bank officials on reorganization of Fox West Coast.

Films Help Church

Glouster, O., March 5.—Motion pictures of wild animals in their native haunts are being used to attract the public to evangelistic services by the Rev. Charles H. Richards at the Church of Christ.

Where services have been lightly attended prior to the introduction of pictures, it now is necessary to provide many extra seats to take care of the crowds.

Col.-Pathe-Natan Deal Up in France

PARIS, March 5.—Columbia and Pathe-Natan are discussing a deal which pivots about the latter's handling distribution of the former's product here. Columbia has an office here and J. H. Seidelman, foreign head of the company, arrives from London tomorrow to talk over the proposition.

Seidelman has been here before. Mrs. Seidelman sailed from New York on the *Rex* last Saturday and will meet her husband in Genoa. Both are expected to return to the United States around March 25.

Gaumont Releasing Two

Gaumont British has changed the title of "Aunt Sally," soon to be released here with Cicely Courtneidge and Sam Hardy, to "Mademoiselle Zaza." The company has also scheduled "Orders Is Orders" for early release. The picture stars James Gleason and Charlotte Greenwood.

Bankers' Salaries Latest to Come Out

(Continued from page 1)

Francisco, with a salary of $40,000; Hubert P. Howell, president of the Commercial National Bank & Trust Co., New York, $67,500; S. Sloan Colt, president, Bankers' Trust Co., $66,750; George W. Davison, chairman of the board, Central Hanover Bank & Trust Co., $100,000; Percy H. Johnston, president, Chemical Bank & Trust Co., $125,000, and Harvey D. Gibson, chairman of the board, Manufacturers' Trust Co., $125,000.

The bankers named, with the exception of Dr. Giannini, were identified with the $13,200,000 refinancing of Paramount Publix in 1932.

N. Y. Claims' Total In 1933 Up to 4,609

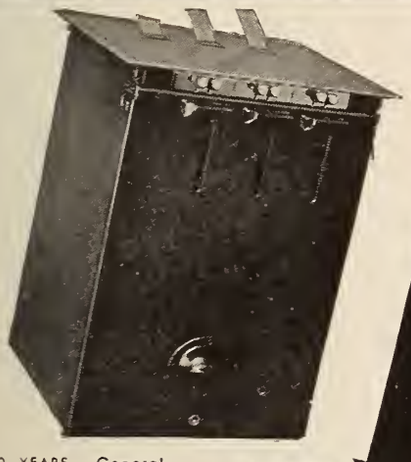
Members of the New York Film Board of Trade during 1933 filed 4,609 claims involving $771,702.52 against local exhibitors for alleged breach of contracts. Exactly 3,351 claims, amounting to $517,556.46, were collected and pending are 697 claims involving $109,793.84. Abandoned as uncollectable were 561 claims involving $144,352.22.

Of the claims filed, 86 per cent were collected, the board figures.

Lambs Busy on Gambol

Reservations are reported to be piling up for the Lambs' St. Patrick's day dinner gambol and ball at the Waldorf Astoria. The proceeds are to be used for the Lambs' Memorial and Relief Fund. Grover A. Whalen is chairman of the committee.

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This industry was born with its opening night, 37 years ago, on the screen at Koster & Bial's Music Hall in Herald Square, where Thirty-fourth Street crosses Broadway. In the years between, amusement centers have moved on and the industry which began that night has spread to dominance over all the world. With it and a part of it, Motion Picture Herald has grown, too, so that today all the motion picture world, again—and still—is centered on the new "Herald Square" of today which covers the world.




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PREVIEW

for the entire nation—

Viva VILLA!

DATE: Thursday Night, March 8th.

TIME: 10 P. M. Eastern Standard Time

PLACE: Coast-to-Coast network from National Broadcasting Studios, New York, Station WEAF, Kraft-Phenix hour.

PROGRAM: Thrilling radio dramatization of M-G-M's giant attraction "VIVA VILLA!" It is the greatest advance plug, with nationwide coverage, for any picture in film history!

IMPORTANT!

Get in touch with your local radio station today. Make arrangements for a local station announcement immediately following the "Viva Villa!" broadcast, stating that this picture will soon come to your theatre.

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MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 35. NO. 54 NEW YORK, WEDNESDAY, MARCH 7, 1934 TEN CENTS

Contend 89.5% of Code Benefits Independents

Skourases Out Of St. Louis Proposed Deal

F. & M. Plans Calls for Control by Sept. 1

ST. LOUIS, March 6.—The Skouras rothers step out of local theatre peration Sept. 1, when F. & M. takes ver the Missouri, Ambassador and rand Central from the bondholders. kouras is now operating the trio un- er a leasing deal with the receivers. Skouras originally built these houses nd put up a personal guarantee of 6,800,000 on the bonds. The theatres ere later sold to Warners and then everted to Skouras when the re- eivers for the St. Louis Amusement o. made a special deal with the

(*Continued on page 14*)

Production Booms In Coast Studios

HOLLYWOOD, March 6.—Production normal for the first time in three onths with a total of 41 features and shorts in work. This is a decided crease over the preceding week, hich had 37 features and 11 shorts in ctual production. Continued activity looked for as 28 features and 14 orts are in the final stages of prep-

(*Continued on page 14*)

N. Y. Senate Gets 10% Admission Tax

ALBANY, March 6.—A bill calling r a 10 per cent admission tax has en introduced in the Legislature by nator John L. Buckley of New York ty. Its passage is a possibility a result of Democratic opposition

(*Continued on page 14*)

IWC Sessions Here To Start on Monday

Reorganization meetings between ustees, bankers and other principals volved in the affairs of Fox West ast, get under way here Monday hen S. R. Kent, president of Fox,

(*Continued on page 14*)

Radio to Make From 10 to 12 in London

Returning on the *Berengaria* yester- y after seven weeks abroad, Phil isman, head of Radio's foreign ac- ities, stated the company will make

(*Continued on page 12*)

Gov't After Tax Evaders

Washington, March 6.—Launching a drive to collect approximately $1,000,000,000 in unpaid back taxes, the Treasury Department is asking corporations in all industries for lists of all those sharing in profits, it became known today. The inquiry is understood to cover a considerable period. In addition, a close study is being made of the information secured by the Federal Trade Commission in its investigation of corporation executives' salaries.

In a number of instances, it is said, income taxes have been evaded by persons receiving profits through "partnership" agreements of one sort or another.

Hearings on Patman Bill to Catalog Films Open Mar. 19

WASHINGTON, March 6.—Hearings on the Patman bill for the "cataloging" of films will begin before the House Interstate Commerce Committee March 19, it was announced today. The measure was introduced by Representative Patman of Texas last spring. It provides for a nine-member Federal picture commission, four members of which shall be women, to "inspect, classify and catalog" films, both silent and talking, before they enter into interstate and foreign commerce.

A list of some 30-odd prohibitions upon material to be used in pictures is provided in the bill; a fee of $10 per thousand feet is to be imposed for inspections, and penalties ranging from a fine of $500 or imprisonment for six months to a fine of $10,000 and imprisonment for three years are provided for violations. One hundred

(*Continued on page 14*)

Kansas Court Test on Film Cuts Looming

KANSAS CITY, March 6.—Censorship in Kansas, long a source of complaint by exhibitors and distributors, is nearing a showdown in which the courts may be called upon to determine the powers of the state board. While distributors are reluctant to discuss the matter, they admit dissatisfaction with numerous deletions ordered by the board, which, they say,

(*Continued on page 12*)

Hope to Name All of Boards By This Week

Every effort will be made by the committee on selections to complete its choices for the 10 remaining code boards by Saturday. Of the five cities left, New York still stacks up as the toughest to get straightened out and various plans are afoot to end the wrangling.

In Boston, Philip Smith, originally set as first-run unaffiliated exhibitor

(*Continued on page 6*)

Who? What? When?

The thirteenth instalment in *Motion Picture Daily's* series of biographical sketches of the men who make up code boards will be found on page 7 today.

Analysis Is Submitted to NRA by Gabriel Hess of MPPDA

WASHINGTON, March 6.—For the purpose of proving that the film code does more for the protection of independent exhibitors than any other factor in the industry, Gabriel L. Hess, general attorney for the M.P.P.D.A., today submitted to the NRA conference a 35-page code analysis. The brief was construed as the Hays organization's answer to that filed last week by Abram F. Myers in behalf of independents.

By taking up the code section by section and concluding with a general summary, the analysis purports to show that 89.5 per cent of all provisions of the code were for the benefit of independent exhibitors, distributors and producers.

According to the analysis 99.9 per cent of these provisions gave rights to independent exhibitors, distributors and producers which they previously did not have. Four per cent of all

(*Continued on page 6*)

Capital Conference Is Called on Radio

WASHINGTON, March 6.—Division Administrator Sol A. Rosenblatt has called a meeting here of film, radio and the legitimate theatre code authority committees for tomorrow night to discuss free broadcasting auditions.

Appointed to the radio committee are John Shepard of Boston, M. R.

(*Continued on page 6*)

MPTOA Says Allied Suit Was "Fizzle"

Pointing out that qualified assents to the code listing various reservations proposed by Allied States are still unacceptable, an M. P. T. O. A. statement issued yesterday terms Allied's recent Federal Court action against the Code Authority and Di-

(*Continued on page 12*)

Allied Leaves Code Up to Individuals

Despite withdrawal of its suit against Code Authority and the proximity of the deadline for sending in

(*Continued on page 12*)

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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Dietz Starts East

Howard Dietz left Hollywood yesterday for New York and is slated to return to his office Saturday morning. Although scheduled to take off late last week, the M-G-M publicity, advertising and exploitation head stayed on the coast several days for conferences with David Selznick.

Gets "Forgotten Men"

First Division has closed with Sam Cummins for distribution of "Forgotten Men" in 10 territories where it has exchanges. Cummins is negotiating other independent distribution deals and plans to leave for the west in a few weeks.

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1934-35

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Big Names Lined Up For M. P. Club Talks

Gov. Herbert H. Lehman, Will Rogers, Nicholas Murray Butler and Gov. Albert C. Ritchie are on a list of prospective speakers at future luncheons of the M. P. Club. Speeches at all club luncheons will be broadcast and a national chain has offered the club $10,000 for the broadcasting rights. The luncheon forums are scheduled to resume in the near future.

The club gymnasium has been reopened with Jim Savage, well known trainer, in charge. The new bar is being installed in the lounge and will be opened within the next two weeks, following which regular cocktail hours with dancing will be inaugurated. An associate member class, limited to 150 prominent people outside the industry, is being organized. A new slate of officers is being completed and will be ready for announcement at the next meeting of the club.

Those who received invitations to the reorganization meeting of the club last week are urged by the reorganization officers to attend the daily luncheon hours during the next few weeks.

General Register in Midst of Expansion

General Register Corp. is in the midst of an expansion campaign. The Chicago office has been reorganized and the force of mechanics tripled, a Boston office has just been opened and the Los Angeles office is to be reorganized.

Arthur Abrams has been made district manager with headquarters in Chicago by W. L. Tenny, general sales manager. Sol Ehrenberg takes charge of theatre sales of ticket registers.

Oscar Hoedecker, as New England manager, has been put in charge of the new Boston office.

Tenny is now in Los Angeles for the reorganization there and he will later visit San Diego, San Francisco and Seattle.

Tuttle to Remake Story

HOLLYWOOD, March 6.—Fox has acquired rights to Frank Tuttle's "Apple Tree," which he produced in England, but never released. He will remake the film, using parts of the original for the English background.

Ampa Plans Canvass On Star-Rating Films

Members of the Ampa, in an effort to force discontinuance of star ratings in reviews of pictures in the *New York Daily News*, are mulling over a campaign of attack similar to that recently accomplished in Chicago where the system was abandoned by the *Tribune*, under the same ownership as the *News* here.

The Windy City campaign, which was sponsored by Balaban & Katz, consisted of a poll of all theatre-goers and their reaction to the star system. The consensus of opinion was that if a picture garnered under two stars the review was not read. Theatre operators in Chicago pointed out to the publishers that when reviews are not read, the space is wasted. All pictures are now criticized without star rating.

Ampa officers are contemplating prevailing upon all theatres in New York to canvass patrons for reactions on the *News* system in addition to getting letters from producers and other film men condemning the system. These will be presented to the publishers of the local daily with a plea to discard the stars.

Ampa to M. P. Club

The Ampa is shifting its meetings to the M. P. Club starting tomorrow, which will be known as "Tower Magazines Day," with Mary Pickford as guest of honor. Recent sessions were held at the Paramount Grill. Other personalities enlisted by Hugh Weir and Catherine McMelis for the occasion are Ruth Etting, Don Bestor and the Voice of Experience.

Mayfair Drops Passes

Giveaway "courtesy" tickets have been abandoned by the Mayfair in observance of the code. Recently Howard S. Cullman, receiver for the Roxy, wrote Division Administrator Sol A. Rosenblatt, calling the matter to his attention. Rosenblatt answered he would notify Walter Reade, operator of the Mayfair, of the code violation.

"Register" Release Soon

Columbia will nationally release "Social Register" on March 10.

Universal Pfd. Up 2 On Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	25	24¾	24¾	+ ¼	400
Consolidated Film Industries	4¾	4½	4½	— ¼	1,800
Consolidated Film Industries, pfd	17	16⅛	16⅞	+ ¾	1,800
Eastman Kodak	89½	89	89	—1	200
Fox Film "A"	15¼	15	15¼	+ ⅛	500
Loew's, Inc.	32	31⅛	31¾	— ¼	4,000
M-G-M, pfd.	23	23	23	+1	100
Paramount, cts.	4⅞	4¾	4⅞	— ⅛	2,200
Pathe Exchange	3¾	3½	3½	— ¼	2,300
Pathe Exchange "A"	19¾	19	19	— ⅝	2,800
RKO	3¾	3½	3½	— ⅜	2,200
Universal Pictures, pfd	32	32	32	+2	4,000
Warner Bros.	6⅞	6¾	6⅞	— ⅛	800

Technicolor Gains ⅛ On Curb

	High	Low	Close	Net Change	Sales
Technicolor	9¼	9¼	9¼	+ ⅛	200
Universal Pictures	3¾	3¾	3¾	+ ⅝	100

Keith Bonds Soar 3 Points

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	10¼	9⅝	10¼	— ⅛	10
Keith B. F. 6s '46	65	64	65	+3	5
Paramount Broadway 5½s '51	34	34	34	—1⅛	1
Paramount F. L. 6s '47	47	46¾	46¾	.....	12
Paramount Publix 5½s '50	46	46	46	—2½	1
Pathe 7s '37, ww	93	93	93	s7	1
RKO 6s '41, pp	38½	37	38	+1½	7
Warner Bros. 6s '39, wd	55⅝	55⅝	55⅝	.....	5

Purely Personal

DAVID BERNSTEIN, DAVID LOEW, LEOPOLD FRIEDMAN, JACK COHN, ABE MONTAGUE, RUBE JACKTER, JULES BBULATOUR, NAT COHN, LOU WEINBERG, among the new converts to the M. P. Club dining room at luncheon yesterday.

RUBE WOLF ends an eight-week stay as master of ceremonies at the Roxy tomorrow night. He is going into radio work. WESLEY EDDY succeeds.

JAMES FARRELL'S "The Young Manhood of Studs Lonigan" has been acquired by Mo Wax and RONALD BANK.

MAX FRIEDLAND, Universal European manager, in from Hollywood for a few days before returning to Paris.

GENE RAYMOND left for the Coast yesterday to resume work after vacationing here and in Florida.

POLLY MORAN will come east for a week of personal appearances starting March 16.

NAT SPINGOLD has returned from Miami, where he vacationed.

Nashville Bank Claim Against P.-P. Slashed

A claim of $435,000 filed against Paramount Publix by the American National Bank of Nashville was reduced to $165,400 by Henry K. Davis, referee in bankruptcy, yesterday, following objections made by counsel to Paramount Publix trustees.

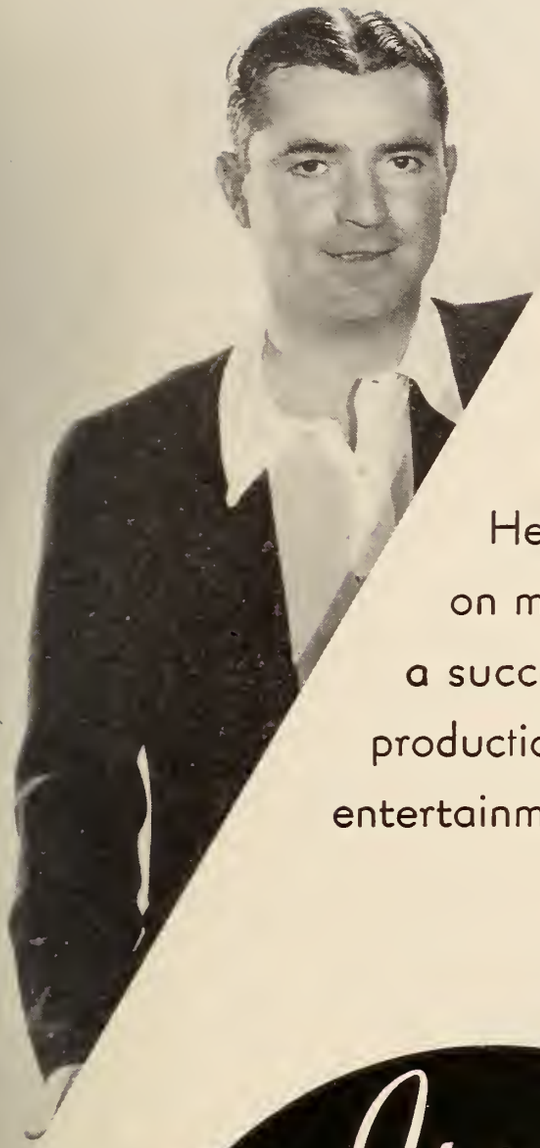
Referee Davis granted the 15th and 16th St. Realty companies of Denver an additional week in which to file briefs in support of claims aggregating $1,475,000 and accorded Paramount Publix a week thereafter in which to file replies. The claims are directed against both Paramount and Publix Enterprises and involve theatre leases and bond indentures on the Paramount and Denver theatres, in Denver. Paramount was down as guarantor on the leases and indentures, although the theatres were held by Publix Enterprises.

Cantor Sets Committee

Eddie Cantor, president of the Jewish Theatrical Guild, has appointed the following dinner committee for the complimentary banquet to be tendered George M. Cohan and Sam H. Harris by the guild at the Astor, Sunday evening, April 8: Fred Block, chairman; William Degen Weinberger, treasurer; George Jessel, Julius Tannen, Hugo Reisenfeld, William Morris, Jr., Harry Cooper, Daniel Frohman, Jack Benny, S. L. Rothafel, Jack Pearl, S. Bloom, Jack Lait, Harry Hershfield, Donald Flamm, Abe Lastfogel, Lester Hammel, Ben F. Holzman, Lee Shubert, J. J. Shubert, George S. Kaufman, George Gershwin, Irving Berlin, Adolph Zukor, Ed Wynn, Max Steuer, Otto H. Kahn and Bess Mack, publicity.

Sign for Cameo

Harry Shiffman and Jack Shapiro have signed contracts with RKO for the Cameo, which the independents have been operating for the past several weeks.



To The Motion Picture Exhibitors of America

Here's my personal pledge based on my reputation of fifteen years as a successful showman: The first screen production of my SCANDALS is the finest entertainment achievement I have ever created.

Yours in show business,

George White

It begins

WHERE HIS $10 BROADWAY SHOWS

left off

AND FOR PROOF . . .

"SPECTACULAR BOX

100% Entertainment!" shout



More "Variety" review raves:

"Alice Faye turns in a splendid performance"..."Vallee is great for the gals"..."Jimmy Durante draws multi laughs"..."Cliff Edwards comes close to stealing pic"..."A cute trick is Dixie Dunbar"..."A bang-up job by Harry Lachman who directed the musical numbers"..."Dance routines and production stuff especially flashy and novel"..."Girls are luscious lookers and good hoofers"...etc., etc.

OFFICE
Variety

Just read this:

"'George White's Scandals' as Oakland saw it (preview), stands out as spectacular box office with everything it takes in cast, hit tunes, laughs and numbers. It's one of the best musicals turned out. 'Scandals' is 100 per cent entertainment, with laughs galore. It's punchy and well-paced."—VARIETY





GEORGE WHITE'S SCANDALS

with

RUDY VALLEE
JIMMY DURANTE
ALICE FAYE
ADRIENNE AMES
GREGORY RATOFF
CLIFF EDWARDS

and

GEORGE WHITE

Entire Production Conceived, Created and Directed by GEORGE WHITE · Musical Numbers direction of Harry Lachman · Story direction by Thornton Freeland · Music and Lyrics: Ray Henderson, Jack Yellen and Irving Caesar · Executive Producer, ROBERT T. KANE

FOX

Assert 89.5% Of Film Code Helps Indies

(*Continued from page 1*)

provisions were for the benefit of large distributors, the analysis states, and none of this four per cent granted any new rights to distributors. Further, the analysis says 2.2 per cent of the code provisions were for the benefit of large exhibitors.

Allied States, of which Myers is general counsel, is described by Hess as representing "an insignificantly small group which carries on its 'sniping' not for the genuine purpose of protecting the rights of small enterprises and minorities but rather to gain for this small minority rights which would give it more power than the majority."

In a general summary the analysis says all sections of the code, excepting those dealing with labor, administration, definitions and mandatory provisions, had been discussed. Forty-five parts were analyzed.

"Of these," the analysis states, "26 were for the benefit of the independent exhibitor, distributor and producer. Of these 26, 25 granted them rights which they previously did not have.

"Of the remaining 19 parts, 16 referred to general rights and were not designed to benefit specially any group in the industry."

Distribution Discussed

Under the general heading "Distribution" the analysis takes up 12 points, and says that with the exception of one fire clause for the general benefit of the industry, all these points are for the benefit of independent exhibitor and "granted rights which he never before enjoyed."

Listed among independent exhibitors' benefits are: Prohibition on threats to build from large distributors; barring of the practice of having distributor employes in theatres for the purpose of affecting sales; barring of substitutions in directors or casts and the provision that exhibitors must be notified when substitutions are contemplated where distributors have this right in a contract; the provision that grievance boards shall rule on non-theatrical accounts when it is claimed these are unfair competition; limitation on short subject sales with feature product; assurance that checkers' figures will be kept confidential; prohibition on transfer of assets by a distributor; adjustment of average prices in contracts where distributors have failed to deliver the whole contract through grievance boards; the ban on distributors' efforts to get special playing days unless the days are specified by contract in advance; the privilege of applying for arbitration where distributors attempt to withhold features for breach of short subjects contracts.

The second section of the analysis is devoted to "Exhibitors." This is divided into seven parts, and it is contended that four of these seven parts grant rights to exhibitors not previously held by them; that two parts are for the benefit of distributors, but merely codify existing law and do not deprive exhibitors of any rights previously held, and that one part, dealing with advertising, is for the benefit of prior-run exhibitors.

Listed among the independent exhibitors' benefits are the following: Requirement that exhibitors with selective contracts make their selections within 21 days after availability; prohibition against overbuying by big exhibitors; possibility of curbing giveaways, lotteries, prizes, etc., by 75 per cent vote in any given territory; prohibition on interference by an outsider when an exhibitor is negotiating a new lease.

The section for the benefit of prior-run exhibitors is given as the restriction on advertising by subsequent runs prior to the completion of the first run. The two sections cited as of benefit to distributors are the prohibition against transfer of assets by an exhibitor to avoid performance of a contract and the provision that no exhibitor can show a picture prior to dawn of the first day of his booking.

Under the general heading of "Distributors-Exhibitors" the analysis states that three of the six sections are of benefit to independent exhibitors and the remaining three are general subjects of advantage to exhibitors and distributors.

Other Exhibitor Benefits

The three parts described as of benefit to independents are: Requirements for use of standard contract forms; provision for arbitration under the optional standard license agreement, and the 10 per cent cancellation privilege. The remaining three parts described as benefits for exhibitors and distributors are: Prohibition against attempts to breach a contract either by a distributor or exhibitor; ban on giving of a gift by either a distributor or exhibitor for the purpose of obtaining an advantage, and the prohibition against revealing box-office receipts.

Grievance and zoning boards are discussed at length, and it is contended that all the provisions covering these boards are beneficial to independents.

"For many years," the analysis reads, "some exhibitors have complained that powerful first run exhibitors have obtained unreasonable clearance in respect to the length of time and in respect to area over which the clearance is granted. The only practical solution for this problem seemed to be the drafting of clearance schedules—permitting all groups in the industry to participate and decide in advance what was fair and reasonable clearance and what was unfair or unreasonable clearance. Such clearance and zoning schedules were in several instances prepared. They afforded relief to complaining exhibitors. But there were others who made legal attack upon these arrangements, claiming that they were contrary to law.

Boards Held a Benefit

"The code affords a legal as well as a practical solution of this problem. It creates clearance and zoning boards in each of the 32 exchange territories in this country. Each of these boards is composed of two distributors, two first run exhibitors and two subsequent run exhibitors. In addition there is an impartial representative approved by the administrator who has no affiliation with the motion picture industry.

"This board appears to be as fairly set up as possible. There are some distributors who complain that since there are four exhibitors and only two distributors represented upon the board, and since the general economic conflict involved is between exhibitors and distributors, that the exhibitors have undue representation upon these boards. On the other hand some exhibitors complain that the first run exhibitors have a joint interest with the distributors, and, therefore, that the balance leans the other way. It is impossible in such a matter to satisfy all. Obviously a sincere and earnest effort has been made to give fair representation to all groups."

Under the general heading of producers and distributors the analysis contends that the industry has been benefited by the prohibitions against defaming competitors, threatening of legal proceedings and obtaining of confidential information by unfair means. Attention is also called to the benefits accruing from the following seven points: Ban on obtaining the dismissal of stage employes so they can work in pictures; ban on conspiracies to prevent producers from obtaining studio space; ban on employing members of families as extras; regulations concerning agents; rules governing relations between producers and talent; ban on enticing employes to new jobs.

Allied of Wisconsin Irked By Makeup of Code Boards

MILWAUKEE, March 6. — Opinion among film leaders concerning appointments to code boards for this territory is that they are fair in their setup and represent all interests. Those favoring the setup point out that board representatives include those who have done most for the industry during past years and represent experienced men.

The fly in the ointment, of course, is the fact that no members from Allied of Wisconsin were named, despite the fact that a number of names from that organization were submitted. Allied had expected at least some representation and consequently the strong M. P. T. O. of Wisconsin and Upper Michigan leaning in the code makeup is not regarded with pleasure by Allied men.

The "ins," however, point out that the independent exhibitor is adequately represented by W. L. Ainsworth of Fond Du Lac; George Fischer, Milwaukee; Tom Saxe, Milwaukee, who has always been a champion of the independent operator, and Fred S. Meyer, also of Milwaukee.

Another objection voiced is against Joseph G. Rhode, Kenosha, impartial representative on the clearance board. Rhode, it is pointed out, is a former president of the M. P. T. O. of Wisconsin, and, although he is now in the bill posting business in Kenosha, is reported to own the site upon which the Gateway is located in that city. Consequently there are some who feel that he is not in a position to act impartially.

How soon the local boards will start functioning is problematical. At present members are awaiting further instructions from the East and there are those who believe they should have something in writing from the Code Authority verifying their appointments.

Hope to Nam All of Board By This Wee

(*Continued from page 1*)

on the clearance and zoning boa may be replaced by Frank Tough Ed Fay was being considered for post, but various objections are s to have moved him off the list. T independent subsequent run exhibi on the same board, a post open u last week, has been set. In Washi ton, opinion varies on distribut members. Exhibitor appointees ready for announcement.

Unsettled in Philadelphia is the f run independent exhibitor on the cle ance and zoning. In San Franci Morgan Walsh is being contested b major distributor and the probabi is that he will be replaced.

New York, considered by distri tors and exhibitors as too large area for one board and also too portant in point of sales, faces s eral plans. Some members want board and others want three. A c promise may be effected whereb board will be named for clearance zoning and another for grievance three advisory committees for board.

The plan for boards and advis groups would have the area split three divisions, northern New Je and Staten Island, Long Island Queens and Brooklyn, and Manha and the Bronx. Problems ari among exhibitors in northern Jersey would be handled in conj tion with the advisory board appoi for this territory, etc. However, jections already have been vo against names on the first tenta draft and the outcome is awaited much interest.

Capital Conferenc Is Called on Rad

(*Continued from page 1*)

Runyon of New York City and J W. Baldwin of Washington. legitimate group consists of Ma Heiman, William C. Elliott and F Gillmore. The film committe S. R. Kent, Charles L. O'Reilly Ed Kuykendall. Elliott is in H wood and Kent is in Florida. O'R was in New York today, but be here tomorrow.

With all code authorities me here, the general consensus of film men was "we are getting of good out of it." The picture sonalities leave tomorrow night lowing the meeting with Roser on free radio auditions.

Means Not Hopefu For Change in Co

KANSAS CITY, March 6. — Means, head of the I. T. O., is optimistic over the prospect of s ing code changes as a result o letter forwarded to Administ Hugh S. Johnson.

"We told them what we want the code hearings," he said, "but did what they wanted, regardles I don't expect them to pay any tion at this time."

Cleveland

CLEVELAND, March 6.—J. E. FONTAINE, representing affiliated national distributors on the Cleveland grievance board, holds the ranking position in local film circles as district manager for Paramount, a position he has held uninterruptedly for the past five years. Fontaine was born in Baltimore, on June 2, 1890, and attended the public and high schools at Annapolis, Md., and Washington. His first job was in the picture business as shipper with General Film in 1909. Later he went with Pathe as booker and in 1912 was appointed Pathe branch manager in Detroit. For about a year he was associated with Fox, and then joined the Detroit Paramount office first as booker and then as salesman. In 1914 Fontaine was in business for himself, operating a state rights exchange called Minter United Amusement Co. of Detroit. He discontinued the company two years later in 1916 when he went back with Paramount. In August, 1925, he was named manager in Pittsburgh. In March, 1928, he was transferred to Cleveland. In February, 1929, he was appointed district manager.

HOLBROOK C. BISSELL, representing unaffiliated distributors on grievances, has been Columbia branch manager in Cleveland since March 1, 1930. He was born Oct. 5, 1891, at Elizabeth, N. J., and was educated at Trinity School, New York, and Porter Military School, Charleston, S. C. Early business experience was gained as importer of silks, laces and woolens. He entered the film business in 1919 as salesman for Pathe in Philadelphia and was later transferred to Albany. He was appointed successively Universal branch manager in Albany, World Wide branch manager in Buffalo, Columbia branch manager in Albany and Columbia branch manager here.

NAT WOLF, representing affiliated exhibitors on grievances, was born in New York City. At the age of 8 months he moved to Texas where he was raised in a small town on the plains and never set foot inside a theatre until he moved to Houston, at the age of 15. There, starting as an usher and progressing to operator, advertising man and then manager, Wolf was associated with Maurice Wolf at the Cozy Theatre, Houston, until 1913, at which time he joined Karl Hoblitzelle of the Interstate circuit. He also was a film salesman for Felix Feist in 1914 and worked for Goldwyn until the World War. Wolf served for 22 months, 14 of them in France. He joined the A.E.F. Theatrical Department in February, 1919, traveled with the army show from March until July, 1919, playing army camps and French theatres. On his return to the United States, Wolf joined First National. Then he served as branch manager for Educational in Dallas, for two years and returned to Chicago for First National under Clayton Bond. He joined the Orpheum circuit in Chicago in charge of buying and booking in 1923, where he remained seven years. After the RKO merger, he joined Publix, working out of New York and Minneapolis, leaving Publix to go with Warners in 1932 to take charge of the Ohio zone which includes: Strand (1,159 seats) in Akron; Alhambra (856) in Canton; Hippodrome (3,529), Lake (800), Uptown (3,580) and Variety (1,600) Cleveland; Pastime (500) and Sixth Street (909) in Coshocton; Capitol (950) in Elyria; Harris (1,100) in Findlay; Kenton (1,129) in Kenton; the Ohio (1,834), Sigma (911) and State (1,002) in Lima; Palace (1,750) in Lorain; Madison (1,520), Majestic (840) and Ohio (1,620) in Mansfield; Lincoln (958) in Massillon; the Ohio (634), and Plaza (595) in Sandusky; the Ohio (1,350) in Sidney; Capitol (1,614) in Steubenville; Warner (2,600), Paramount (1,526) and Park (1,527) in Youngstown. Also the Kentucky in Danville, Ky.

JOHN D. KALAFAT, representing unaffiliated exhibitors on grievances, was born in Athens, Greece, on Nov. 4, 1884. In 1900 he came to America and made his home in Chicago where he went into the picture business. In 1907 he operated his own picture house, the Oriental. This was the second film theatre opened in Chicago and still stands. A few years were spent in the Middle West as a state rights distributor and in 1913 Kalafat came to Cleveland. His first house here was the Lincoln on West 25th St. Later the Savoy and Jewel were added to the chain. In 1919, together with Myer Fine, D. L. Schumann and the Kellar Brothers, he formed the Ohio Amusement Co., one of the first independent chains formed in Cleveland. Later the Ohio Amusement Co. was dissolved and in its place was formed Associated Theatres, Inc., of which Kalafat is president, comprising 10 theatres. He is treasurer of the Cleveland M. P. Exhibitors Ass'n., and a member of newly-formed Independent Theatre Owners of Ohio. Kalafat's houses, all in Cleveland, include the Capitol (1,456 seats), Denison Square (1,049), Garden (1,379), Gordon Square (1,200), Jewel (906), Knickerbocker (1,014), Royal (700), Southern (700), Sunbeam (638) and Windamere (930).

Who? What? When?

Thirteenth instalment in a biographical series on the men who make up the code boards.

FRANK DREW, representing affiliated national distributors on clearance and zoning, was born in Cleveland in 1885 and into the theatrical business. He is a member of the famous Drew family and a cousin of Ethel, John and Lionel Barrymore. His father owned and operated the Star, only Cleveland burlesque house, for many years. While still at high school, Drew ushered in his father's theatre. At 17 years of age he joined Buffalo Bill's circus, staying with the show about a year. For a time he was in charge of the Star box-office, but in 1904 moved to Detroit as manager of the Avenue, a wheel burlesque house owned by the elder Drew. He remained in Detroit 12 years or from 1904 to 1916. There Drew not only managed the Avenue, but acquired a chain of Detroit houses, and also organized the first independent exchange handling Universal pictures. He sold his franchise to Carl Laemmle in 1916 and bought the Drury Lane theatre, now defunct. Soon after Drew put out a burlesque show of his own called "Liberty Girls." It was not a crying success, so he returned to the state rights business and dramatic stock in Detroit. In 1919 he joined Fox staying with that company seven years as branch manager in Detroit, Pittsburgh and Cleveland.

In 1923 he went to England as assistant managing director for the British Isles and returned to New York in 1924 as Fox home office representative and later as manager in Cleveland and Detroit. In 1926 Drew joined M-G-M as special sales representative working out of Cincinnati, Washington, Pittsburgh, Charlotte, Detroit and Cleveland. He was appointed manager at Charlotte on Jan. 3, 1927, and on Sept. 5 was transferred to Cleveland as manager, where he has remained since.

NAT L. LEFTON, representing unaffiliated distributors on clearance and zoning, was born in London, England, on March 14, 1894. When 14 years old he came to Cleveland with his parents. His first job was selling candy in local theatres. From salesman he progressed to owner of the candy concession at the old Lyceum and later at the Prospect. After several years Lefton went into the picture business with the purchase of "Streets of New York," a three-reel subject which he dragged to feature length by supplying scenes of the Bowery, Chinatown and other well-known New York locations. In 1914 he joined Warners selling three reelers. Lefton later joined Harry Charnas, who formed Standard Film Service Co., opening Charnas' Cincinnati office. Two years later he was transferred to the Detroit Standard Film exchange. A few months were spent in Cleveland and then he went to Cincinnati as Standard Film branch manager where he remained eight years handling all available independent product including Warner Brothers Screen Classics. Several years ago he became head of Standard Film Service Co., and moved to Cleveland. He has been associated with Monogram since the inception of the company and is now associated with J. S. Jossey as Monogram franchise holder in Ohio and Kentucky. Lefton is married and has two sons.

NAT HOLT, representing affiliated first runs on clearance and zoning, first saw the light of day in sunny California where film executives grow and thrive. His first job, at the age of 16, was as usher in a San Francisco theatre. His theatre experience during his early years consisted of painting scenery, selling tickets and theatre managing. A seven months' interlude occurred when he took a stock company to Honolulu, where it enjoyed a successful run. Upon his return to San Francisco Holt became associated with the Rothschild circuit, and later bought a theatre there. Some time later he worked for Publix in San Francisco and Los Angeles, going from Publix to Fox and for the past two years has been with RKO as division manager, first with headquarters in Cincinnati and now in Cleveland, where his direct charges are the 3,193-seat Palace (downtown) and the 2,815-seat 105th St. (uptown). Holt is a charter member of the Cleveland Variety Club.

JOHN J. HUEBNER, representing unaffiliated first runs on clearance and zoning, operates the Ohio Theatre, at Marion, an 829-seat independent house. He has been an exhibitor for many years and holds a place of high esteem among both exhibitors and distributors.

MARTIN SMITH, representing unaffiliated subsequent runs on clearance and zoning, is a prominent circuit owner and has been an Ohio exhibitor leader for more than 15 years. Smith was the first president of the M.P.T.O.A. and served in that capacity two years. After an interim of nine years, he was recently elected again to that position, but resigned recently to become president of the Independent Theatre Owners of Ohio, new state-wide independent association. In partnership with J. A. Beidler, Smith owns and operates the following Toledo theatres: East Auditorium (695 seats), Eastwood, (812),

(Continued on page 12)

Gould in Lumber Industry; Donaldson, 30, and Lawyer

Who are the impartial members on the Denver code boards? Their thumbnail sketches supply the answer:

CLARENCE K. GOULD, named as impartial member on the Denver grievance board, is a retail lumberman with offices in the First National Bank Building. He operates a number of retail lumber yards in Northern Colorado. He was born in Paola, Kan., Dec. 6, 1876, and moved to Kansas City, where he attended public schools. Attended Burdette Commercial College in Boston. Moved to Ft. Collins, Col., 32 years ago, and has been in the retail lumber business that long, for some time dividing his time between Ft. Collins and Kansas City, where he was interested in lumber. In 1931 he moved to Denver, which has since been his home and headquarters. Gould is married and has two married daughters. He expresses himself as pleased to be of assistance to the film industry.

J. GLENN DONALDSON, named as impartial member on the Denver clearance and zoning board, is assistant attorney general of the state of Colorado and is directly connected with the Building and Loan Commission of Colorado. He was born in Pontiac, Mich., on Sept. 19, 1903, attended Pontiac public school and Culver Military Academy, has an A. B. from the University of Michigan and an LL.B. from the University of Colorado. He moved to Denver in 1929, secured his LL.B degree and graduated from the University of Colorado in December, 1930, and entered the law business at once. In November, 1933, he was appointed to his present position. He is a Democrat. Married, no children. Member of the Denver Bar Association, the Sigma Alpha Epsilon, a general fraternity, and the Phi Delta Phi, legal fraternity. He plays golf.

"In Tracy and Oakie a splendid new team is born! Robust action, tangy lines, lusty laughs!"
—Motion Picture Daily

"May prove 20th Century's best money maker to date! Tracy and Oakie step out as a bet on the nose in the team class!"
—Daily Variety

"Theatre literally rocked with laughter! Box-office all the way! 20th Century batting average retains its high rating!"
— Associated Pub.

"A natural! It'll please the highbrows and have the lowbrows double up with laughter. One of the best!"
— Billboard

LOOKING

Released thru

UNITED ARTISTS

"SO FAST
ONLY AN
COULD HA
AND IT DO



Spence
Jack

) FUNNY
THQUAKE
OPPED IT...
— Jack Grant
Motion Picture Magazine



RACY
AKIE

"Tracy and Oakie are great! It moves . . . and moves fast!"
— Alason Edwards United Press

"The Tracy-Oakie team should be incorporated! Can't miss being a hit picture!"
— Hollywood Reporter

"One of the most exciting comedies I've ever seen!"
— Alice Tildesley Philadelphia Public Ledger

"A rowdy, funny flicker with Tracy and Oakie at their best!"
— Sidney Skolsky N.Y. Daily News

"Another hit for Darryl F. Zanuck! Tracy and Oakie a great team!"
— North American NewspaperAlliance

"Earthquake sequence the most thrilling and effective I've ever seen!"
— Modern Screen Magazine

TROUBLE

with

CONSTANCE CUMMINGS

ARLINE JUDGE • JUDITH WOOD

Directed by William Wellman

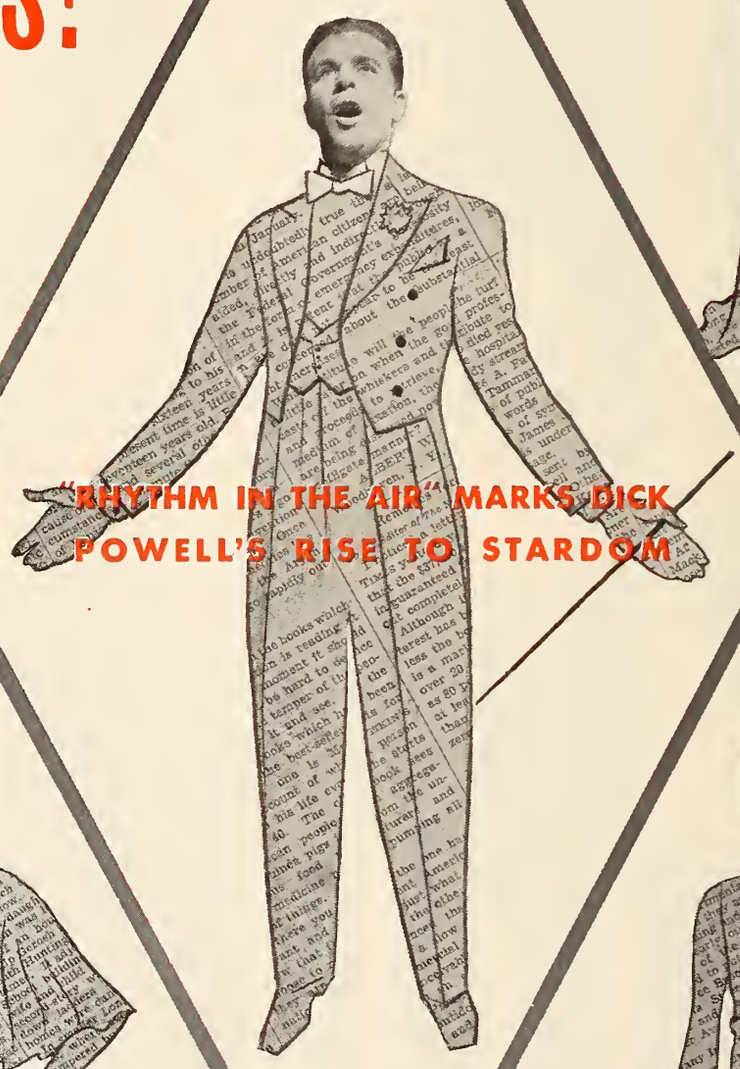
A DARRYL F. ZANUCK *Production*

20TH CENTURY PICTURE

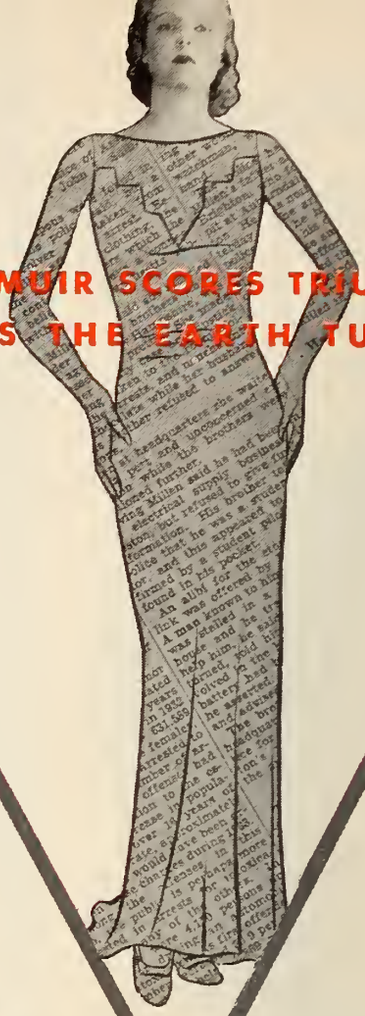
WARNER BROS.' NEW STARS ARE NEWS!



DDS BRILLIANT
OG OVER 'FRISCO"



"RHYTHM IN THE AIR" MARKS DICK
POWELL'S RISE TO STARDOM



JEAN MUIR SCORES TRIUMPH
IN "AS THE EARTH TURNS"

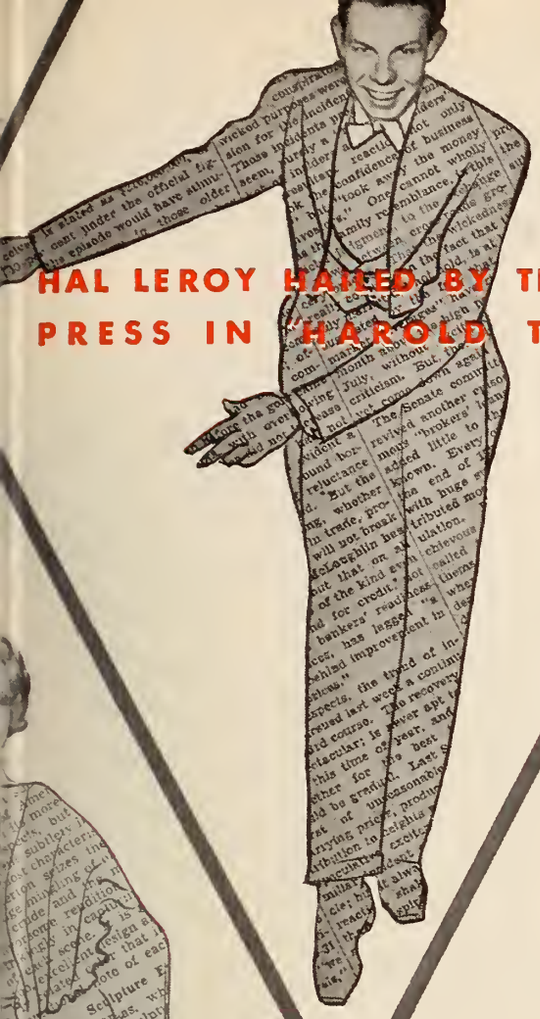
VERREE TEAS
SATION, REP



ALINE MACMAHON CLICKS AS
STAR IN "WOMAN IN HER THIRTIES"



WATCH FOR "DAMES," FIRST KEELER-
POWELL STAR-TEAM VEHICLE



HAL LEROY HAILED BY TRADE PRESS IN "HAROLD TEEN"

HIONS" SEN-
DERN HERO"

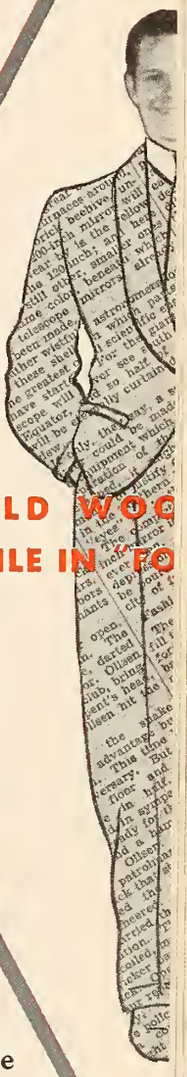




EDNA BEST, FAMED STAGE STAR, SIGNED FOR "THE KEY"



BARBARA BLAIR, RADIO ACE, MAKES SCREEN DEBUT IN "DAMES"



DONALD WOO
JUVENILE IN "FO



PAT O'BRIEN WINS BIG STARRING CHANCE IN "ONE-MAN WOMAN"

Yet these powerful box-office personalities are just a few of the latest additions to the lavish Warner star list which provides you with one or more of these great name attractions every week in the year—

Kay Francis . . . Leslie Howard
William Powell . . . Paul Muni
James Cagney . . R. Barthelmess
Joe E. Brown . . . . Al Jolson
Barbara Stanwyck . Ricardo Cortez
Edw. G. Robinson . Warren William
Ruth Chatterton . . Mary Astor
Joan Blondell . . . Ann Dvorak
Bette Davis . . Adolphe Menjou

Kansas Court Test on Film Cuts Looming

(Continued from page 1)

has been more rigorous than the one under a previous administration.

The state board, according to distributors, places too vivid an interpretation on situations and dialogue which otherwise are considered harmless, butchering valuable prints with no regard for the ultimate result and the property rights involved.

Several months ago, the censors showed extreme zeal in cutting "Love, Honor and Oh, Baby!" and James R. Grainger, Universal sales chief, instructed the Kansas City exchange to proceed with a court test of the censors' powers. Other distributors threatened to withdraw from Kansas entirely unless the censors showed more tolerance. Governor Landon, who appoints the censors and to whom they are responsible, stepped in and conciliated the differences. But lately the censors' rulings have again been unnecessarily severe, according to the distributors.

Because Kansas is legally dry, though wet in fact, and because Governor Landon wants to see Kansas vote dry at a state referendum next November, he has instructed the censors to delete anything from pictures which may create sentiment for repeal. This is particularly true of close-ups of bottles bearing whisky labels and scenes showing drinking, especially by women. W. C. T. U. influence in official circles is considered largely responsible for this. The governor recently was quoted in the Kansas press as saying he would not favor repeal of the state's bone-dry law as long as he remained governor.

Exhibitors are resentful that because of a political issue, the only commodity they have to sell is mutilated.

Court Sets Mar. 12 For Columbia Case

Harry Cohn, Jack Cohn and Joe Brandt, defendants in an action filed by a stockholder for an accounting of Columbia earnings and of salaries paid to them, are scheduled to be examined by counsel for the plaintiff March 12. An adjournment will probably be granted at that time, due to the absence of Nathan Burkan, attorney for the defendants, who is in Florida.

Victor House, attorney for Mrs. Emma Cohen, the stockholder plaintiff, said yesterday that the suit seeks to establish why no dividends have been paid on the common stock for the past two years despite the favorable earnings statements of the company during that time.

The stockholder's action was filed in Supreme Court here last fall. Except for the denial last December of the plaintiff's petition for an injunction to restrain Columbia from paying the defendants more than their 1929 contracts called for, and the court's authorization to examine the defendants before trial, which was granted several months ago, the case has been dormant for the past six months.

MPTOA Says Allied Suit Was "Fizzle"

(Continued from page 1)

vision Administrator Sol A. Rosenblatt a "complete fizzle."

Describing the Allied suit as a "hypocritical effort to annoy the NRA Administrator and obstruct the fair trial of the code," the statement declares that it failed in all its objects and Allied leaders are now "back where they were five months ago."

The M. P. T. O. A. statement maintains:

"The suit tried to force the acceptance of qualified assents, to exempt exhibitors from clearance and zoning schedules, to permit withdrawal of assents whenever an exhibitor wanted to evade sharing the expense of administration. It completely failed to accomplish any of these. This suit also demanded the right to start a law suit, which was never denied any exhibitor by the code, and demanded the right to defend a complaint before a local board, which is expressly set forth repeatedly in the code itself (Art. VI, Part 1 and Part 2) and tried valiantly to defend the constitution, a job heretofore looked after by the U. S. Supreme Court and the President. Surprisingly, your rights guaranteed by the constitution have not been altered at all by this momentous litigation. Neither have the plain terms and provisions of the code been altered in any respect, as yet."

Allied Leaves Code Up to Individuals

(Continued from page 1)

compliances, Allied has not altered its stand on assents. Units and members are being advised that it is up to them to decide whether to sign the forms and send them in.

Two units already have tabooed sending in compliance. They are the M. P. T. O. of Western Pennsylvania and Allied of the Northwest. Yesterday Allied of New Jersey, Sidney Samuelson's group, met and discussed assents. Some members are signing the forms while others are not.

Unless appointees to various clearance and zoning and grievance boards are signed up they cannot serve.

PORTLAND, March 6.—George E. Jackson of the local Allied unit today wired Executive Secretary John C. Flinn that members of the organization have gone on record in favor of sending in assents immediately.

Keane Appointment Opposed in Atlanta

ATLANTA, March 6.—Exhibitors here have sent Division Administrator Sol A. Rosenblatt letters of protest against Lionel H. Keane of Loew's, who was named affiliated exhibitor on the grievance board for this territory. It is understood suggestions for replacing Keane also were forwarded to the division administrator.

Van Beuren at Biograph

Three Van Beuren short subjects, for RKO release, are scheduled for production at the new Biograph studio, the first to go into work on Monday under the direction of Monroe Shaff.

In Charge

Will Rogers says part of his recent eastern trip had to do with the Government's plan to preserve wild game. Will represented Hollywood.

Senate Probe Off; K. C. Disappointed

KANSAS CITY, March 6.—Exhibitors who have been hoping for a Federal investigation of labor racketeering are disappointed that U. S. Senator Royal S. Copeland has called off or deferred an inquiry into Kansas City crime conditions by his investigating committee.

When Senator Copeland announced that such an investigation would be made, it was considered highly probable that the situation involving the Kansas City operators' union and suburban theatres would be called to his attention. A county grand jury last fall declared labor racketeering aimed at non-union theatres called for a Federal investigation. It turned over its record in the case to the Department of Justice, and recently a Federal grand jury conducted an investigation with no apparent results.

Theatre Help Strike Called in Milwaukee

MILWAUKEE, March 6.—This city faces the possibility of the closing of its theatres as a result of a strike called for March 15 by the recently formed Ushers', Cashiers' and Doormen's Union.

The strike is still on at the Warner, with pickets carrying banners saying they have been cut to $10 for seven days' work. The Wisconsin has replaced its ushers with girls.

The union claims a membership of 250 and demands recognition and a "living wage."

Court Bans Pickets At 2 Local Houses

Condemning as misleading and unfair signs carried by Allied M. P. Operators' pickets, Supreme Court Justice Albert Cohen yesterday ordered the immediate discontinuance of picketing in front of Wallack's and Sam Harris theatres in West 42nd St. The order was handed down while the judge was hearing argument on a motion of the two theatres in conjunction with Local 306. Other matters in the motion will be considered after examination of the papers in the action.

ITOA Granted Appeal

Leave to appeal in the Court of Appeals from a recent decision of Justice Collins ordering the return of 55 men dismissed in 11 local theatres was obtained yesterday by the I. T. O. A., according to M. A. Albert, attorney for the organization.

Delay Tri-Ergon Hearing

Another postponement has been granted Tri-Ergon in its appeal from a decision dismissing a suit filed by the company against local exhibitors and distributors. Slated to come up yesterday in the appellate division of the N. Y. Supreme Court, the hearing was set back until March 13. Louis Nizer is attorney for distributors and exhibitors.

Who? What? When?

(Continued from page 7)

Park (932), Royal (695) and Westwood (962).

FRANK GROSS, second exhibitor representing unaffiliated subsequen runs on clearance and zoning, begar as an independent exhibitor i Cleveland 20 years ago, when h opened the Clark National. Gros was born in Austria and came t Cleveland as a boy in 1900. Hi first business experience was gaine in dairy products. Gross now own and operates the Grand (700 seats and the Cedar (850). He is a mem ber of the Cleveland M. P. Exhibi tors Ass'n. and of Independent Thea tre Owners of Ohio, neither of whic is nationally affiliated.

Radio to Make From 10 to 12 in Londor

(Continued from page 1)

10 to 12 pictures in London next sea son in conjunction with the Hage Co., producing affiliate. Those suit able for the American market wi be distributed here, he said.

Reisman said he closed several dis tribution deals while abroad. Beside London he visited Naples, Geno Paris and Amsterdam. He asserted n shifts have been made in foreign pe sonnel and that Ambrose Dowling remaining abroad permanently, h headquarters in London. He was o timistic about conditions in Europ

Hopes to Maintain 50c. Dividend Rat

Consolidated Film Industries, Inc hopes to maintain a quarterly divider distribution of 50 cents a share c the preferred, according to a stat ment made by Herbert J. Yates, pres dent, yesterday. He said:

"It is the intention of the manag ment in so far as business conditio permit to make quarterly distributio of 50 cents a share on preferr stock, thus gradually clearing up a cumulations, but until such time the accumulation has been fully pa it will not be possible to label the distributions as quarterly dividends

Baltimore Men Return

BALTIMORE, March 6.—Returnir this week from winter vacations wer Isador M. Rappaport, proprietor the Hippodrome, who had been Florida with his wife; J. Louis Rom managing director of the Associat Theatres, Inc., from a sea trip South American ports; Robert Sche and Meyer Leventhal, president a managing director of the Philip Scheck Theatrical Enterprises, fro Florida.

Para. Starlets on Air

HOLLYWOOD, March 6.—Paramou plans to introduce its baby stars radio audiences over the NBC ne work Thursday at 9 P. M., Paci time. The starlets are Frances Dra Dorothy Dell, Ida Lupino, Elizabe Young, Evelyn Venable and Hel Mack.

Mrs. Coolidge on Counc

Mrs. Calvin Coolidge has be named honorary vice-president of t M. P. Research Council.

Katharine HEPBURN

in "Spitfire"



RADIO CITY
EXTENDED ENGAGEMENT
•
STARTS THURSDAY
•
WITH
ROBERT YOUNG
RALPH BELLAMY
MARTHA SLEEPER
•
From the play "Trigger" by Lula Vollmer
Directed by John Cromwell
RKO-RADIO PICTURE
A Pandro S. Berman Production
Merion C. Cooper
Executive Producer

QUEEN by right of her blazing genius!...
Today she reigns over Stardom! . . . Again the amazing Hepburn . . . superb in a role completely and daringly different! . . . as the fighting, thieving, loving spitfire of the hills! A wildcat girl who stole men's hearts and prayed for their souls! Only Hepburn would dare such a role.

Spot News from Columbia



Playing to sensational business at Keith's, Boston, and Syracuse; Palace, Cincinnati; Fox, Detroit; Golden Gate, San Francisco; Stanley, Philadelphia; Court, Wheeling. CLARK GABLE and CLAUDETTE COLBERT in Frank Capra's "It Happened One Night."



"Columbia rates bouquets for producing so dynamic and artistic a film." —*M. P. Daily.* Frank Borzage's great emotional masterpiece "NO GREATER GLORY," will enfold all in its heart-gripping spell. Based on Ferenc Molnar's great novel.



One of the most lavishly mounted productions of the year! A great story and a great cast! ELISSA LANDI in "Sisters Under The Skin" with Frank Morgan and Joseph Schildkraut. Directed by David Burton.

Hearings on Patman Bill to Catalog Films Open Mar. 19

(*Continued from page* 1)

fifty thousand dollars is to be provided for the expenses of the commission, the members of which are to receive $9,000 a year and the chairman $10,000.

Declaring that the purpose of the bill is to prevent the necessity of state censorship, Patman declared it would not put the state or city boards out of business but would render their work more effective, while at the same time it would "save expense to the motion picture industry." The bill, he said, would "lessen the danger of graft possible in local, city and state censorship boards and secure better moral supervision than merely through such boards alone."

"Ten times the picture industry has promised to reform itself without the assistance of any law, but each time the promises have been broken," the Congressman charged.

"I am convinced that the screen, without lessening its entertainment attractiveness, can be made one of the greatest educators in morals in the rehabilitation of our economic and social life. The only human power that can bring this about I believe is the Federal Government. I see no hope that the industry will reform itself."

Production Booms In Coast Studios

(*Continued from page* 1)

aration. Cutting rooms report a total of 42 features and 24 shorts editing.

Warners lead the field with eight features in work, two preparing and 10 in the cutting rooms; Paramount follows with four, four and five; Fox, six, three and five; M-G-M, four, one and seven; Universal, four, three and three; Radio, four, six and three; 20th Century, two, one and zero; Columbia, one, three and four, while the independents report seven, six and five.

Among short subjects producers M-G-M has two working, three preparing and four in the cutting rooms; Roach has two, zero and four; Universal, zero, one and one; Columbia, zero, one and three; Radio, zero, four and four, with the independents reporting six, five and eight.

Paramount is putting three in work this week, making the total seven. The new ones are: "Witching Hour," "Double Door" and "It Ain't No Sin." Those already in work are: "Trumpet Blows," "Little Miss Marker," "Murder at the Vanities" and "Thirty-Day Princess."

Radio expects to add six more to the four already in work within 10 days. This will boost the schedule to a point not reached since 1929. Those starting will be: "Alien Corn," "Down to Their Last Yacht," "Cockeyed Cavaliers," "The Great American Harem," "Green Mansions" and "Murder on the Blackboard." The four in work are: "Strictly Dynamite," "Stingaree," "The Dover Road" and "Of Human Bondage."

Fox has six in work and expects to start eight within three weeks. Those in work are: "The World Moves On," "Two Many Women," "The World Is Ours," "Now I'll Tell," "Springtime for Henry" and "Gold Rush." Those set for an early start are: "Merry Andrew," "Grand Canary," "Call It Luck," "Lottery Lover," "By Royal Command," "Always Honest," "On the High Seas" and "Charlie Chan's Courage."

Erskin Host at Lunch

Chester Erskin, independent producer, was host to fan magazine, trade press and newspaper representatives yesterday at a luncheon at the Waldorf-Astoria, which was followed by a screening of Erskin's picture, "Midnight," distributed by Universal.

N. Y. Senate Gets 10% Admission Tax

(*Continued from page* 1)

to the two per cent retail sales tax. A part of the sales tax revenue was intended for relief purposes. The entire revenue from the Buckley admission tax bill is designed for relief.

The vigorous opposition of Governor Herbert H. Lehman to the retail sales tax proposed by Senator George R. Fearon, Republican minority leader, together with the asserted solid opposition of all Democrats in the Senate, is regarded as definitely spelling the death of the two per cent sales tax. Governor Lehman's program also calls for repeal of the present one per cent sales tax and the substitution of the new gross income tax with exemptions for it. Additional revenue for relief work is regarded as essential in some quarters, however, and is believed to increase the Buckley bill's chances for passage.

Public hearings on the retail sales tax are scheduled for March 13. Already numerous state and national organizations, merchants and smaller retailers throughout the state, have voiced opposition to the measure. The state theatre and film industry has taken no part in this opposition to the retail sales tax, leading to the belief that its strategy foresees the likelihood of passage of the 10 per cent admission tax in the event of the defeat of the retail sales tax, and that opposition to either measure at this time promises little relief.

Launch Appeal Move

LONDON, March 6.—An appeal of the $126,000 judgment awarded Princess Irena Youssoupoff on the ground that she had been libelled by the picture, "Rasputin and the Empress," will be sought Monday by M-G-M.

Sir William Jowitt, counsel for M-G-M, was advised by the court that the judgment would not be forced pending application for an appeal.

Quittner Appeal Sought

A petition will be filed in U. S. Circuit Court of Appeals here March 12 by Joseph Quittner, Middletown, N. Y., exhibitor, for leave to appeal as a pauper his anti-trust action against major companies, which was dismissed by the U. S. District Court last year.

Skourases Out Of St. Louis Proposed Deal

(*Continued from page* 1)

brothers. Skouras is operating under the name of Central Theatres Corp., of which Harry Koplar has a 20 per cent interest.

Incidentally Koplar is a partner of F. & M. and was instrumental in making a bid to the bondholders to take over the three theatres. The deal, if approved by the Federal court, will start from Sept. 1.

Talk of a rift between Warners and Harry C. Arthur, vice-president of F. & M., is denied. These stories got around because of Koplar's affiliation with F. & M., which made a bid for the Ambassador, Missouri and Grand Central against Skouras. Warners are said to have been behind the Skouras offer.

As a result, Warners have taken the Rialto, legitimate house, where they will open "Wonder Bar" on March 31, having taken the picture away from Skouras. The Rialto lease runs until Sept. 1, the date when the three downtown houses may change to F. & M. management. Warners are reported after other units.

From confidential and authoritative sources it is learned that Warners have been offered a proposition to tie in with F. & M., when the latter takes over the three houses. Also, it is believed that Warner product will find an outlet at these houses under better terms than previously recorded.

Allan L. Snyder is the financial man behind F. & M. here. He is a retired builder, and is said to have reached an agreement with the bondholders protective committee.

Harry C. Arthur yesterday denied F. & M. and Warners were on the outs in St. Louis. He said:

"We have no fight on with anyone and your correspondent in St. Louis is all wet."

FWC Sessions Here To Start on Monday

(*Continued from page* 1)

returns from Boca Raton, Fla., where he has been vacationing the last few weeks.

Charles Skouras and H. W. Moore, Jr., trustees, are in from the coast as well as Percy R. Kent, William T. Powers and Edward Zabel. The group expects to remain here for about two weeks conferring with representatives of Chase Bank and Hughes, Schurman & Dwight. Spyros Skouras, who was on the coast, returned with the party.

Boost Pantages Scale

HOLLYWOOD, March 6.—By order of F. W. C., which took a new lease on the Pantages Hollywood, the house has abandoned its cut-rate policy of 15-cent matinees and is back to the regular first-run schedule of 25 cents with 40 and 65 cents prevailing after 6 o'clock.

May Take Criterion

Columbia will in all probability take over the Criterion some time next month for two-a-day showings of "No Greater Glory."

YOUR RESERVATIONS SHOULD BE MADE TODAY!

•

Write to
The Columbians, 729 Seventh Ave., N. Y. C.
or telephone
BRyant 9-7900—Ext. 59

NOT THE GREATEST EVENT
ON EARTH
BUT BY FAR THE MERRIEST!

It's on the way—!

THE COLUMBIANS'

•

FOURTH ANNUAL DINNER DANCE

GRAND BALLROOM – WALDORF-ASTORIA

SATURDAY – MARCH 10th, 1934

•

INTIMATE ENTERTAINMENT BY
STAGE AND SCREEN STARS
WHO KNOW HOW TO ENTERTAIN

Subscription:
$15.00 per Couple

•

Dinner at precisely 7:30 P.M.

"OKAY BOB!"



World-Telegram—...Grade A entertainment...first rate...full of humor, romance, action and suspense...Montgomery excellent... not to be missed...

Sun—...corking murder melodrama...most effective blend of suspense and light comedy...exciting yarn...suspenseful climax... good thriller...jolly picture...

Post—...entertaining picture... artful combination of humor, romance, murder and Robert Montgomery...it will pay you to see it...continuously interesting ...swerves neatly from a pleasant kind of drawing-room comedy to hair-raising thrills...you can't go wrong on "Mystery of Mr. X"...

American—...one of the most entertaining mystery-comedy dramas the screen has seen...full of laughs...suspense is delightfully maintained and its climactic sequences possess excitement...has the crowds applauding...

Mirror—...superlatively entertaining thriller...exceptionally good ...harrowing suspense and charming humor...strong and appealing romantic theme...tastefully produced and brilliantly acted by unusually attractive cast...has unusual quality of genuine romantic charm...far above the usual detective thriller...don't miss it...

Times—...ingenious combina tion of excitement, fun an romance...

News—...★★★ 3 Stars...on of the most exciting adventure encountered on a Broadwa screen recently...directed with great deal of skill and thoroughl well-acted...

Film Daily—...better entertai ment than this is hard to find.. clever, suspenseful and excitin plus a neat romance...delightf and well-done...

M. P. Daily—...fine entertai ment satisfaction with slam-ba finish...unique suspense situ tions blended with unusual charming romance...Montgome differently clever...strong su porting cast...is packed wi necessary box-office elements, i cluding comedy...

Herald-Tribune—...entertai ing picture...deftly amusing am gamation of melodrama a comedy...smooth and finish production...expert cast adm able...Montgomery in form a extremely engaging...exc lent fun...

Telegraph—...Montgomery his suave and capable best cast excellent...

Dear Bob Montgomery -
"Mystery of Mr. X" is one of the grandest things you have ever done for M-G-M."
Your pal -

EDGAR SELWYN
DIRECTOR,

LAWRENCE WEINGARTEN
PRODUCER.



The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 35. NO. 55 NEW YORK, THURSDAY, MARCH 8, 1934 TEN CENTS

Presidential Tariff Liked By Film Men

Proposal Regarded As Blow to Quotas

Relief from stringent tariff and quota regulations imposed on American films by foreign countries is viewed as possible by foreign representatives of leading companies in the event Congress grants President Roosevelt the authority he has requested to permit him to adjust U. S. tariffs arbitrarily and probably on a reciprocal basis, it was learned yesterday.

Under the President's tariff proposals, reciprocal arrangements might be worked out with other nations by which a liberalization of their tariff and quota laws would be met with a corresponding liberalization of American tariffs on imports from such countries. Likewise, nations unwilling to let down tariff and quota barriers

(Continued on page 2)

Universal to Make 12 Features Abroad

Universal has scheduled 12 features for production in Europe this season, eight to be made in England and four in Vienna, Max Friedland, European manager for Universal, said last night just prior to his sailing for London aboard the *Berengaria*.

Additional features may be scheduled for European production later in the season, Friedland said. The first picture on the new schedule to go into work will be "The Four Masked

(Continued on page 2)

Ruling on Talking Film Rights Upheld

ALBANY, March 7.—A New York Supreme Court decision holding that conveyance of dramatic rights to a story prior to the inception of talking pictures carried with it the talking picture rights to the story was affirmed here today by the Court of Appeals. The original decision given by the

(Continued on page 2)

TOA Asks Lowell, Belmont to Meeting

Mrs. August Belmont and Dr. A. Lawrence Lowell have been invited by the I. T. O. A. to attend the next session of the unit on March 14. Mayor LaGuardia will attend the unit's din-

(Continued on page 2)

Board Choices Stir Memphis Commentators

Lightman Status Chief Topic of Discussion

MEMPHIS, March 7.—Reaction to personnel of the Memphis code boards has been most peculiar. Question marks rather than exclamation points explain the difference. Film folk hereabouts are not squawking, but they want to know "why" about a lot of things

For instance, nobody can understand why M. A. Lightman, whose status differs from that of all the other showmen in the country, will be in a position to practically dictate

(Continued on page 4)

Loew Men to Answer Intimidation Charge

Representatives of Loew's are scheduled to appear before the NRA Regional Labor Board here today to answer charges of intimidation of employes brought by Local 118, Theatre and Amusement Employes' Union, which alleges that resignations of its members were instigated by the employers. Hearings on the same charges against Skouras and Randforce circuits are scheduled for tomorrow, and others may be called later, according to Ben Golden of the Regional Labor Board.

Omaha's First Runs Are Now 100% Dual

OMAHA, March 7.—Adoption of a double feature policy at the Paramount, ace first run house, makes it 100 per cent duals at first runs here. Twin bills are suspended only when a stage attraction is booked, as the present appearance of Ben Bernie's band at the Orpheum and the "Student Prince" unit at the Paramount next week.

Simultaneously with double features, the Paramount cut afternoon prices to 25 cents until 6:30 P.M.

Nolan Named Studio Aide to B. B. Kahane

Joseph Nolan, assistant secretary of Radio Pictures, has been made assistant to B. B. Kahane, president of RKO Studios, and leaves for the coast in two weeks to assume the new post. A successor to Nolan will be named in the near future.

Kahane is scheduled to leave for the coast tonight.

Who? What? When?

Fourteenth instalment of the biographies of the men who make up the code boards will appear in an early issue of *Motion Picture Daily*.

Board Delays Stir Criticism in K.C.

KANSAS CITY, March 7.—Exhibitor members of the grievance and zoning boards for Kansas City and exhibitors who have been awaiting the setting up of local code machinery are openly critical of delays in getting the boards into action.

Numerous grievances and pressing local issues, including the important one of the current price war, as well as the drafting of a zoning and protection system, await the operation of the boards. Exhibitor leaders declare

(Continued on page 4)

Thirty-Hour Week Order Now Impends

WASHINGTON, March 7.—Reduction of working hours by 10 per cent with a corresponding increase in wage levels by executive order is contemplated. Exceptions will be made for industries which cannot afford the cuts.

General Hugh S. Johnson appealed to code authorities assembled here tonight to support the cuts.

Cuts by means of a Presidential

(Continued on page 4)

NRA Confab Held On Free Radio Shows

WASHINGTON, March 7.—Representatives of the film, legitimate and radio code authorities met this evening with Division Administrator Sol A. Rosenblatt and Deputy Administrator William P. Farnsworth to straighten out the controversy over free shows in broadcasting studios. Those who attended the conference on behalf of the film industry were John C. Flinn, secretary of the Code Authority, Ed Kuykendall and Sidney R. Kent.

Review Board Named To Aid Small Units

WASHINGTON, March 7.—Protection of small enterprises is provided for in the appointment today by President Roosevelt of a National Recovery Review Board headed by Clarence Darrow.

It will be the duty of the board to study existing codes and to see wheth-

(Continued on page 4)

RKO's Leases In Radio City Are Approved

Court O. K.'s Percentage Payments to $953,972

RKO's lease on the two Radio City theatres was approved yesterday by U. S. District Court Judge William Bondy with the added stipulation, agreed to by Rockefeller Center, the lessor, that annual rent payments by RKO under the percentage payment provisions of the lease shall not exceed $953,972, the amount fixed as annual rental on the two houses by the original lease drawn by RKO and Rockefeller Center in 1930.

Under the approved lease, which is for the year ending Aug. 31 and is subject to earlier cancellation by Rockefeller Center, income from the Radio City theatres is to be placed in a special account out of which operating expenses of the Music Hall and Center will be paid first; next, a working fund of $100,000 will be maintained, and a reserve fund of $25,000

(Continued on page 4)

Showdown Brewing On Chicago Reels

CHICAGO, March 7.—Efforts attributed to Mayor Kelly to force the elimination of riot scenes from news reels promises to bring a general showdown on the local news reel situation in the near future. Undercurrent reports are that the Mayor's edict of last week ordering news reel

(Continued on page 2)

Says Oregon Allied Will Make No Shift

PORTLAND, March 7.—No change in affiliation of the state Allied unit is contemplated, according to William Cutts, organizer and state secretary. He says formation of the Oregon Exhibitor Ass'n. simply means that this new organization succeeds the M. P. Social Club.

Pathe Exchange '33 Profit $386,629.02

Pathe Exchange, Inc., and subsidiaries report a profit of $386,629.02 for the year ending Dec. 30, 1933. This compares with a loss of $114,651.81 in 1932. Much of the improvement was due to increased operations at the Bound Brook Laboratory which in-

(Continued on page 2)

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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MAURICE KANN
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Advertising Manager

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Pathe Exchange '33 Profit $386,629.02

(*Continued from page* 1)

creased operations last October, according to A. B. Poole, treasurer.

Gross income from operations was $312,243.54, but the cost of sales and rentals and general administration expenses was $416,847.40, leaving a net loss of $104,603.86. Other income, however, including dividends from affiliated companies, interest earned and discount on 10-year seven per cent sinking fund gold debentures purchased for retirement, totalled $675,600.47. Interest charges amounted to $184,361.59.

Clyde Osterberg Is Held

CHICAGO, March 7.—Clyde Osterberg, former member of the operators' union who is alleged to have shot Emmett Quinn, union steward, in the thumb last week during an argument with Tom Maloy, has been held for the grand jury under bond of $9,500 on a charge of assault with intent to kill and carrying concealed weapons.

Batcheller in Town

George Batcheller of Chesterfield Pictures is in from the coast.

BEN BLUE
Under Contract
WARNER BROS.
VITAPHONE STUDIO
Now Making Personal Appearances in England
Direction of
JOE RIVKIN — Leo Morrison Agency

Universal to Make 12 Features Abroad

(*Continued from page* 1)

Men," which will be made at Twickenham, England. The four pictures to be made in Vienna will feature Francesca Gaal, Hungarian actress, popular on the Continent. English, French and German versions will be made of these four.

The European production plans result from conferences between Friedland and Carl Laemmle which were held here and on the coast. Universal's plans originally called for a European schedule of approximately 20 features, but after viewing forthcoming product during his coast visit, Friedland believed the bulk of it to be adapted to Continental distribution and recommended a reduction in the proposed schedule.

Ruling on Talking Film Rights Upheld

(*Continued from page* 1)

lower court in January was appealed by Jesse Levinson, attorney for Konrad Bercovici, the plaintiff. Bercovici's story, "The Volga Boatman," was sold to Cecil B. De Mille in 1924 and made into a silent picture. It was later produced as a talking picture and Bercovici brought suit charging that he had never conveyed the talking picture rights to his story.

The Court of Appeals today, upholding the lower court, ruled that conveyance of the dramatic and stock production rights to the story in the original contract, covered all of the elements essential to production of a talking picture.

Simmons Joins U. A.

HOLLYWOOD, March 7.—Michael L. Simmons is back on the United Artists lot doing the story for a musical which Edward Small of Reliance will produce. He has just finished an original for John Barrymore and Jean Harlow at M-G-M.

Ampa Adds Miss Janis

Elsie Janis has been added to the list of guests who will appear at the Ampa luncheon today, designated as "Tower Magazines Day." Mary Pickford, Don Bestor, Ruth Etting and the Voice of Experience will also be on hand.

Showdown Brewing On Chicago Reels

(*Continued from page* 1)

cuts of mob scenes and riots is a subterfuge and an effort to impose his will on news reel producers to offset the campaign under way for some time to have news reels completely lifted from the jurisdiction of the censors.

It is said one company is prepared to produce evidence that the elimination of news reels from censorial operations already has the approval of the City Council finance committee.

Universal Newsreel, through Henry Herbel, local manager, has thrown the defy to the Mayor's order by refusing to make cuts and has challenged the Mayor to back his dictum with an arrest order. So far this has not materialized.

ITOA Asks Lowell, Belmont to Meeting

(*Continued from page* 1)

ner at the Astor on March 21 for installation of officers.

Members yesterday went on record as refusing to do business with Radio as a result of recent percentage demands. A committee is to be appointed to confer with the Mayor on a bill to permit children under 16 in theatres without guardians.

It was decided yesterday not to sign code assents and also to refer its local labor issue to the President. A member of the organization will attend independent exhibitor organization meetings in Columbus, Kansas City and Oklahoma.

Preston Joins N. & R.

Lew Preston, formerly district supervisor for Randforce and Skouras and last at the Academy of Music, has joined the Nelson & Renner circuit in Brooklyn as general manager. The circuit controls the Endicott, Hollywood, Metro, Sun, Coliseum and Howard. Preston is making his headquarters at the Endicott. An expansion program is under way.

Flinn Function Set

Ampa dinner planned for John C. Flinn, retiring president who is now executive secretary of Code Authority, is definitely set for the Astor April 21. Ten dollars a couple will be the tariff.

Most Issues Off on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	25	24¾	24¾	.....	200
Consolidated Film Industries	4¾	4½	4½	.....	800
Consolidated Film Industries, pfd	17⅜	16⅝	16¾	— ⅛	1,700
Eastman Kodak	88¾	87¼	87¼	—1¾	1,500
Fox Film "A"	15	14⅛	14⅜	— ⅞	200
Loew's, Inc.	32¼	30½	31	— ¾	5,400
Paramount Publix	5⅛	4½	4½	— ⅜	2,300
Pathe Exchange	3⅞	3⅜	3⅜	— ⅛	10,600
Pathe Exchange "A"	20½	18¾	19	.....	3,400
RKO	3⅝	3⅜	3⅜	— ⅛	1,600
Warner Bros.	7	6⅜	6⅜	— ½	1,900
Warner Bros., pfd	20½	20½	20½	.....	100

Trading Light on Curb

	High	Low	Close	Net Change	Sales
Technicolor	9¼	9¼	9¼	.....	100
Trans Lux	2¼	2¼	2¼	.....	200

General Theatre Bonds Off ¾

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	10¼	9⅝	9⅝	— ⅛	18
General Theatre Equipment 6s '40, ctf	9	9	9	— ¾	10
Paramount F. L. 6s '47	46½	46½	46½	— ¼	11
Paramount Publix 5½s '50	46	46	46	.....	5
Warner Bros. 6s '39, wd	56½	55½	55⅝	....	16

Presidential Tariff Liked By Film Men

(*Continued from page* 1)

on American products would be me with a tightening of American tariff on their exports.

Film men point out that the Unite States now has the lowest tariffs o foreign films and no quota laws a fecting their importation, whereas vi tually every foreign nation has stri gent quota laws on American films i addition to high tariffs. The Amer can film industry regards these i equities as unfair competition, foreig representatives declared, and expresse the hope that corrective relief migl be obtained if Congress grants th President the tariff authority he seek

Reisman Calls Quota Films a "Boomerang"

Quota pictures made in England a as a "boomerang," Phil Reisman, hea of Radio's foreign activities, state yesterday. He said the public prefe American films to those made in Bri ain and while all American compani must make a number of quota pictur they are not well received abroad.

Reisman said he brought back a fe ideas about opening new offices abro but because of unsettled conditions, e cessive taxation and other problems n immediate decision will be reached expansion. He said some compani are finding conditions so difficult Europe they are closing branches.

The public abroad still wants acti pictures and also likes musicals wi not too much American jazz. Rei man stated Ambrose Dowling short will make a trip to Russia in an effo to make a deal there.

Radio's quota producer is the Hag company, which will make from to 12 next season.

Millions Saw M-G-M Studio on Wheel

Statistics covering the first year the tour of M-G-M's traveling stud show that since it got under way Boston in January, 1933, it has be inspected by 2,256,000 and viewed nearly seven times that number parades. Its itinerary included 6 cities and towns. Contests to uncov new screen talent were conducted 46 key cities in the east and sou and more than 1,000 screen and voi tests were made.

Brandt May Get Centr

Harry Brandt may take over t Central, former burlesque house Broadway, now being remodeled f pictures.

When queried yesterday, Bran stated he had nothing to say at th time.

Dawson with Int. Seat

Ed Dawson, formerly on the adve tising staff of MOTION PICTURE DAI and *Motion Picture Herald*, is n sales representative for the New Yo territory for International Seat Co

S. & C. in Beacon

Springer and Cocalis have tak over the New in Beacon, N. Y.



Magic words . . . Soon NORMA SHEARER in "RIPTIDE" from M-G-M

Board Choices Stir Memphis Commentators

(*Continued from page* 1)

the policies of the grievance board, but will be like the small boy at the baseball park knothole where the clearance and zoning board is concerned.

Lightman isn't complaining. He says the boards have been very fairly set up. Nor are his opponents crowing. They can't figure it out.

The grievance board is composed of Lightman; William Ruffin, of Covington, Tenn., Tri-State M. P. T. O. leader and close friend of Lightman; James Rogers, of Columbia, whose first run outlet here is Lightman's Strand and who sells largely to the Lightman subsequent runs and his houses in the territory, and Tom Young, of Fox, whose pictures automatically play Loew houses first run, but must be sold to Lightman if they are to play his subsequents and territory theatres.

The other board, on the other hand, has Frank Willingham, M-G-M exchange head, whose product plays Loew houses first run and has a more or less indifferent attitude towards the Lightman dates; Howard Waugh, zone manager of the Warner circuit; T. W. Sharp, of Little Rock, head of the new Independent Theatre Owners of Arkansas; A. J. Suzore, of Memphis, neighborhood showman, never particularly close to Lightman; W. E. Sipe, Universal, whose pictures go to Lightman first run and otherwise; and Sidney Nutt, of Hot Springs, M. P. T. O. leader.

Lightman Status Unique

Lightman's position is unique in that he is both a circuit and an independent, affiliated and unaffiliated, first run and subsequent, metropolitan and small town showman, all in one. His first run Strand plays opposition to Warners and Loew and the indie Orpheum. His local neighborhoods compete with the other suburban houses and get choice bookings because of the Lightman buying power. And his nearly 30 theatres in the Arkansas and Tennessee territory are opposition to many terrritory exhibitors and in many instances have protection over them.

This makes Lightman opposition to practically everybody in the business hereabouts, including the labor unions, since he has been running the Strand and Princess non-union for nearly a year. Hence, the Lightman power or lack of power on code matters is an all-important factor.

Neighborhood showmen are delighted with the boards, even though not understanding how Lightman got so strong on one and so weak on the other, because their grievances are the same as Lightman's as a rule, except for clearance, and that's the only place he has no whip hand.

Attitude of the circuits here seems to be "Wottahell! If we don't like what the code boards do, we'll take it to the home office and let Code Authority fight it out!"

Exhibitors in the territory are pretty much in the same boat as the local neighborhoods. They like to work with Lightman on things which are to mutual advantage, but they are leery of him on clearance and zoning. Hence, the satisfaction with the setup, even if misunderstood.

Another thing nobody can understand is why neither of the local Loew executives, Colonel Cecil E. Vogel, city manager, or Bernard Thomas, of the State, landed on the boards. Colonel Vogel is particularly well regarded both among rival exhibitors and on Film Row, and it was considered a foregone conclusion that he would figure prominently on the boards just as he always has in all film problems here.

Still another question mark is occasioned by the position of the local Orpheum, probably the largest and finest theatre in the section. Independently operated by Chicago interests, the Orpheum is completely without representation on the boards.

Thirty-Hour Week Order Now Impends

(*Continued from page* 1)

order have been decided upon, the authorities were told, because it would be impossible to take up individual industry problems one by one. Industries contending they cannot afford the cuts will be given hearings, General Johnson said.

The administrator indicated during the afternoon hearings that he wanted industries to designate men to be left behind following the conclusion of the conferences to take up with him a program for further re-employment.

Review Board Named To Aid Small Units

(*Continued from page* 1)

er any of them are "designed to promote monopolies or oppress small enterprises." Where these tendencies are found it will be the duty of the board to make recommendations to the President for changes.

Other members of the board are: W. W. Neal, Fred P. Mann, Sr., John F. Sinclair, Samuel C. Henry and W. O. Thompson.

It was made known at the White House that the President will ask Congress to extend the licensing provisions of the recovery act for another year, although these have not been used as yet.

A third development was the announcement that the NRA and the Treasury Department are studying the possibility of extending three-year loans up to $12,500 to small business men.

Wilson Quits NRA

WASHINGTON, March 7.—Frank R. Wilson, publicity representative of the NRA, in charge of the film campaign last year, has resigned to return to the picture business in New York.

Briggs on Coast

HOLLYWOOD, March 7.—O. H. Briggs of Du Pont Pathe is here from New York for a two months' stay.

Spanish Version for U. S.

Warners plans to release a Spanish version of Victor Herbert's "The Fortune Teller" in this country.

Levy Succeeds Price

PITTSBURGH, March 7.—Edward Levy succeeds Harry Price on the local Radio sales force.

Board Delays Stir Criticism in K.C.

(*Continued from page* 1)

the price war is being prolonged by delay in local code administration.

Board members say that because of matters that demand immediate attention, they are anxious to begin functioning and are eagerly awaiting appointment of the impartial member and receipt of instructions on procedure. Apart from this, exhibitor members are irked that Code Authority did not see fit to inform them of their appointment. They had been awaiting notification, until informed by MOTION PICTURE DAILY that Code Authority used the trade press to make such official notification. At this, Jay Means, president of the I. T. O., one of the chief critics, expressed amazement, declaring it was "unbelievable."

The trade is speculating as to selection of the impartial member of the Kansas City boards. Several names have been submitted. Means has recommended E. H. Wilkie, president of the Wilkie Furniture Co. Others being considered are Dr. Paul Lux, physician; Tom Finnigan, Democratic ward committeeman and local circulation manager for *Collier's;* Ray Wilson, manager, civic department, Kansas City Chamber of Commerce; Roy Roberts, managing editor, *Kansas City Star,* and Judge Merrill E. Otis of the Federal district court.

Dubinsky Stand to Test St. Louis Board

KANSAS CITY, March 7.—St. Louis Regional Labor Board faces a test over Ed Dubinsky's determination to challenge its order to reinstate I. A. T. S. E. operators at his three St. Joseph houses. Today the board wired Dubinsky to comply by March 10. It also ruled that he use two men in a booth pending arbitration of his manpower dispute.

Dubinsky holds Division Administrator Sol A. Rosenblatt cleared him of any violation and the board cannot enforce its ruling because he did not agree to arbitration. Federal Judge Otis has under advisement his application for an injunction to restrain the I. A. T. S. E. from interfering with operation of his theatres.

Extras Ask Changes

HOLLYWOOD, March 7.—Extras' code committee at a meeting last night asked that Division Administrator Sol A. Rosenblatt include in the code a provision that studios pay supers for transportation and time spent traveling to location where the distance exceeds six miles and that no studio employe be allowed to appear before the camera. The latter recommendation was prompted by the alleged practice of studios using employes to fill in as extras.

Film on Dillinger

HOLLYWOOD, March 7.—Paramount is rushing into production a yarn by Bartlett Cormack based on John Dillinger, desperado who escaped from an Indiana jail last week.

Wurtzel Plans 30

HOLLYWOOD, March 7.—Sol Wurtzel will contribute 30 features, 10 of them Spanish versions, to Fox's new season's program.

RKO's Leases In Radio City Are Approved

(*Continued from page* 1)

maximum. After that, rent payments of $50,000 per month, or $600,000 annually, will be paid to Rockefeller Center.

If there is a monthly balance remaining after these items have been taken care of, 50 per cent of the balance will be paid monthly to Rockefeller Center as additional rent, but such payments together with the rent, are not to exceed the $953,972 annual maximum. The remaining 50 per cent of such balance is to be divided equally in payments to the RKO Radio City operating companies and a special reserve fund account. In the event of deficiency which would result in Rockefeller Center receiving less than $50,000 per month in rent, the landlord may make up the deficiency by withdrawing from a security deposit of approximately $300,000 established for this purpose by RCA. This deposit was originally $1,000,000, but Rockefeller Center has withdrawn approximately $700,000 of it for rental due up to the time of the RKO equity receivership, in Jan., 1933.

The RKO receivership voided the original Rockefeller Center lease. The new lease was objected to by various creditors of RKO and approval of it in its first form was withheld by Judge Bondy early in January of this year on the ground that it specified no maximum amount which might be paid out of balances as additional rent. Rockefeller Center's agreement to fix ing the $953,000 maximum resulted in approval of the lease by the court.

Court Orders Sale For Omaha Orpheum

OMAHA, March 7.—The long-expected auction of the Orpheum has been ordered by Federal Judge James Donohue to satisfy claims of first mortgage bond holders for $1,070,000 and interest at 6 per cent since Dec. 1, 1926.

The action resulted from the receivership a year ago which followed a default on bonds of the Omaha Orpheum Co., a subsidiary of the Keith-Albee-Orpheum Corp. The house is at present operated by A. H. Blank's Tri-State Theatres Co. on a one-year lease which was granted by the receiver last June.

The court's order requires payment of the first mortgage bondholders' claims within 20 days to avoid auction.

To Remake 'Three Weeks'

HOLLYWOOD, March 7.—Irving Thalberg is planning to use Wallace Beery, Clark Gable, Gloria Swanson and other names in a remake of Elinor Glynn's "Three Weeks."

Capital Now Majestic

Herman Gluckman has changed the name of his New York exchange from Capital to Majestic Pictures Corp.

Amity Opens in 'Frisco

SAN FRANCISCO, March 7.—Amity has opened an exchange here with J. Lubfin in charge.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 35. NO. 56 NEW YORK, FRIDAY, MARCH 9, 1934 TEN CENTS

Expect Early O.K. on Deal In St. Louis

Change May Be Effective On Sept. 1, Next

St. Louis, March 8.—Approval by the court of the F. & M. deal with the first mortgage bondholders for the Missouri, Ambassador and Grand Central is expected shortly. The houses, now being operated by Central Theatres Corp., a Skouras subsidiary, will change management Sept. 1.

In snaring the trio of downtown theatres from Skouras, F. & M. are expected to line up Warner product, which is absent from the houses now. With "Wonder Bar" opening at the Fabalto on March 31, Warners will

(*Continued on page 4*)

Pickford Deplores Plight of Indies

Declaring that "the industry is controlled by a few individuals and independent producers cannot exist unless tied in with major companies," Mary Pickford yesterday deplored the lack of cooperation from "the big fellows." She decried the fact that independent film men cannot borrow tal-

(*Continued on page 8*)

MPTOA Men to Meet Before Convention

Two meetings of M. P. T. O. A. officials will be held April 9 prefacing the three-day annual convention of the organization in Los Angeles. The

(*Continued on page 4*)

Special MPTOA Fare

Railroad rates of a fare and one-third for the round trip to the coast have been negotiated for the M. P. T. O. A. convention, with special west bound service from several points.

The New York Central, Pennsylvania and Southern railroads will run special cars from various cities to connect with two special trains, one leaving Chicago and the other New Orleans the night of April 6. The specials arrive in Los Angeles the morning of April 9. Return trips can be made by any route the ticket holder chooses.

End of Free Admission to Radio Shows Is Foreseen

Discontinuance of free admissions to radio broadcasts from theatres leased by radio chains is anticipated as a result of the meeting of film and legitimate theatre Code Authority committees with a committee representing the radio Code Authority, Ed Kuykendall said yesterday on his return from Washington where the radio committees met this week.

The radio committee will report back to the Code Authority of that industry which will, in turn, make known its recommendations to Deputy NRA Administrator William P. Farnsworth.

Resolutions were adopted pointing out the dangers of free shows by various local, state and national agencies and the matter of free radio shows will be investigated and further joint meetings between the three committees will be held.

The radio committee consisting of

(*Continued on page 4*)

Jersey NRA Bills Worry Exhibitors

Trenton, March 8.—Theatre owners in this state, including Allied of New Jersey, are admittedly worried by the progress on three bills designed to set up and finance state boards for enforcement of NRA codes on intrastate business. Two of these bills, one providing for a state appropriation for a recovery board and the other to permit assessment of industries for financing the board, have passed the House and are pending in the Senate.

A third, designed to permit the use

(*Continued on page 4*)

Consolidated 1933 Net Up to $909,358

Consolidated Film Industries, Inc., reports a gain in profits for 1933 over 1932. The 1933 net was $909,358, after depreciation, interest, Federal taxes and other charges. The 1932 net was $862,228. This year's net takes care of the $2 cumulative participating preferred, the report states, and provides 21 cents a share on the common.

Sales and royalties totalled $8,095,532. Costs, expenses and depreciation were $6,921,462.

Smith, Sears Going To Coast for Talks

A. W. Smith, Jr., and Gradwell L. Sears leave for Hollywood next Wednesday to discuss next year's lineup

(*Continued on page 4*)

Deadline Nears

Code assent forms must be signed and dropped in the mail to carry a postmark not later than midnight, March 10, if those who have not complied want to swing under the deadline.

This means final assent total cannot be computed by Code Authority until mail from far western points reaches New York. With bad weather prevailing, a week after deadline is computed a reasonable estimate.

MonogramMay Go From 36 to 20 Next Year

Monogram is the first producer to actually make a definite move toward curtailment of product next year, in spite of all the discussion that has taken place on both coasts in recent months, and has under consideration a reduction from 36 to 20.

It was originally planned to make the higher figure next season, but W. Ray Johnston is considering the possibility of giving greater care to each release on a reduced schedule.

He has gone to Atlantic City to make plans for the annual sales convention which will be held at the Ambassador April 4-7.

Loew-Union Talks Set for Saturday

Preparations for negotiations between Loew's, Inc., and Local 118, Theatre and Amusement Employes' Union, were made yesterday at a meeting before the NRA Regional Labor Board here attended by David Bernstein and Charles Moskowitz, Loew's;

(*Continued on page 4*)

Elliott Takes Union Row to the Capital

Hollywood, March 8.—Seeking some kind of drastic action that will end the conflict between the I. A. T. S. E. and I. B. E. W. locals here, William Elliott, I. A. T. S. E. head,

(*Continued on page 4*)

Last 10 Code BoardsLooked For on Monday

More Impartial Names Also Expected

Division Administrator Sol A. Rosenblatt is expected to announce additional impartial members to the various clearance and zoning and grievance boards when the Code Authority meets again Monday. It is expected personnel of the remaining 10 boards will be completed at a meeting of the committee Monday morning and approved by the authority later in the day.

Rules for all boards are completed and will come up for approval Monday. Nathan Yamins and Harold Bareford are expected to have ready a plan on financing. The two had lengthy sessions in Washington on the matter earlier in the week.

Boards Please All In Salt Lake City

Salt Lake City, March 8.—No word of criticism has been heard in this territory on the code board appointments. Independents as well as circuit and distributor representatives give unreserved praise.

District Manager Harry David of

(*Continued on page 4*)

Few Board Changes Coming, Kuykendall

Few changes, if any, will be made in clearance and zoning and grievance board setups as a result of protests coming into headquarters of Code Authority, Ed Kuykendall, president of the M. P. T. O. A. and a member of

(*Continued on page 4*)

Seattle Calls Off Nazi Film Showing

Seattle, March 8.—Preview of "S. A. Mann Brand," Herman film, which is said to glorify the Hitler storm

(*Continued on page 4*)

Who? What? When?

Fourteenth instalment of the biographies of the men who make up the code boards appears on page 7 today.

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Pathe Broadcast Off

The Pathe News-Absorbine Jr. proposed broadcast, scheduled to start Feb. 18 over 13 stations of the Yankee network, is off indefinitely, according to Irwin Wasey & Co., advertising agents handling the account. The hitch is said to be the ban of the National Broadcasting Co. on broadcasting from records, the Pathe sound track evidently being classified as a record.

New Series for Hoffberg

J. H. Hoffberg Co. is releasing a series of American and Spanish features and shorts with distribution, except for California, New Mexico and Arizona, handled from New York. In California, Spanish International Pictures is handling the output; in New Mexico and Arizona, Scott Amusement Co.

Have 12 Polish Films

Majestic is releasing 12 Polish films in 100 towns in this country where there are Polish speaking populations. The first of the series, "The Spy," is now in its second week at the Caruso.

Al Friedlander Returns

Al Friedlander yesterday returned from a three-week tour of First Division exchanges. Jimmy Rose has succeeded William Raynor as Albany manager.

Loews Sail March 17

Arthur and Mrs. Loew sail on the *Conte di Savoia* March 17 for a six weeks' tour of Europe. The Loews recently returned from Australia.

Insiders' Outlook

NO probability of RKO being discharged from receivership before next fall at the earliest is in the cards, say those closest to the equity proceedings of the company. The most obvious reason is the time required to hear and settle those creditors' claims filed against the company in the amount of more than $23,000,000, exclusive of a Rockefeller Center claim for approximately $15,000,000. Progress made to date on the hearing of the claims indicates conclusively that October is the earliest date by which an end to the receivership could be effected. Just as likely is a wind-up next January, which would make an even two-year receivership for the company. . . .

▼

The basis of a reorganization plan for the company has taken pretty definite shape in the minds of important creditor groups, but no further development of it can be expected until outstanding claims have been settled, giving definite knowledge thereby of just what RKO's liabilities are. No reorganization plan can be completed until that knowledge is at hand. In the meantime, the new RKO-Rockefeller Center lease on the Radio City theatres, just approved by the U. S. District Court here, offers some distinct advantages over the original lease which was voided by the RKO receivership. . . .

▼

The original lease called for a monthly rental of $79,800 on the Music Hall and Center. The new one calls for $50,000 per month only after operating expenses of the houses have been taken care of and special reserve accounts of $125,000 aggregate maintained. Even if profits mount to prosperity levels, the 50 per cent of the balance after the aforementioned items have been taken care of, which goes to Rockefeller Center as additional rent, cannot exceed the $79,800 monthly rent which was fixed by the original lease. Only one disturbing element in the arrangement—Rockefeller Center reserves the right to cancel the lease almost at will. . . .

▼

Of paramount interest is the decision of the New York State Court of Appeals in the long-contested Bercovici-DeMille case on dialogue rights of "The Volga Boatman, produced by Ceebee silent in 1924 and in sound later on the one-story buy. The author claimed he had never sold dialogue rights and sued on them. The Supreme Court ruled him in the wrong. Now comes the appeals court, highest legal bench in the state, to uphold the lower court. The decision is precedent-establishing and holds conveyance of the dramatic rights of a story prior to introduction of talking pictures carried with such conveyance talking picture rights at one and the same time. In the early days of sound, producers, bulking them, went into six figures to cover dialogue rights of properties at the time or earlier acquired. It would seem now they didn't have to do any such thing or spend any such money. However, there's the future and its consolation. . . .

▼

Representative Patman's pet bill is to get an airing after all these months. He is the Texan legislator who disturbed some Hays members mightily months back when, by original introduction of his bill, he made all answers difficult through incorporating for enactment the self-imposed Hays production code of ethics. Slightly embarrassing, you can readily see. . . . Big local theatre move mooching around. What? Now wait just a minute. . . .

KANN

Stocks Up on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	25	24½	25	+ ¼	500
Consolidated Film Industries	4⅝	4½	4⅝	+ ⅛	200
Consolidated Film Industries, pfd	16½	16¼	16⅜	+ ⅛	700
Eastman Kodak	89½	86¾	89½	+2¼	1,000
Fox Film "A"	14⅝	14¼	14⅝	+ ¼	600
Loew's, Inc.	32¼	30¾	32	+1	12,500
M-G-M. pfd.	22¼	22¼	22¼	— ¾	100
Paramount, cts.	5⅛	4⅝	5⅛	+ ⅝	14,300
Pathe Exchange	3⅝	3⅜	3⅝	+ ¼	7,000
Pathe Exchange "A"	19⅞	18¾	19¾	+ ¾	2,700
RKO	3⅝	3⅜	3⅝	+ ¼	3,000
Warner Bros.	6⅞	6⅜	6¾	+ ⅜	9,400

Curb Stocks Stationary

	High	Low	Close	Net Change	Sales
Technicolor	9¼	9	9¼	.....	300
Trans Lux	2¼	2¼	2¼	.....	100

Keith Bonds Fall 1¾ Points

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	9¾	9	9⅜	— ¼	12
Keith B. F. 6s '46	63¼	63¼	63¼	—1¾	1
Loew's 6s '41, ww deb rights	95	94½	95	+ ½	13
Paramount Broadway 5½s '51	33½	33	33	+ ⅝	10
Paramount F. L. 6s '47	46	45	46	+ ½	8
Paramount Publix 5½s '50	45	44½	45	+ ¼	8
RKO 6s '41, pp	38	38	38	.....	2
Warner Bros. 6s '39, wd	55	54	55	.....	8

Purely Personal

CLARK GABLE and RAMON NOVARRO have said goodbye to New York. The former is due on the coast Monday to start work in "Manhattan Melodrama.' The latter will dally in Chicago for a week to fill a stage engagement before heading for Hollywood.

HARRY C. ARTHUR and JOE PLUNKETT have been neighbors on the eighth floor of the Bond Building for many months and found out about it only yesterday when they met at the elevator.

H. M. WARNER, AL JOLSON, CHARLES EINFELD and MORT BLUMENSTOCK leave for Philadelphia today to attend the opening of "Wonder Bar" tomorrow night.

PHIL REISMAN brought back with him a bottle of Cognac dated 1811. He doesn't know whether to put it in the vault for safekeeping or drink it.

ED KUYKENDALL plans one of his infrequent visits to his Columbus, Miss., home shortly after the new Code Authority meeting on Monday.

MYRON SATTLER, New York exchange manager for Paramount, leaves March 22 on the *Veragua* for a two weeks' southern cruise.

LANNY ROSS reached New York last night from the coast to resume his broadcasting. He has been working for Paramount.

H. WILLIAM FITELSON, film attorney, returned yesterday from a six weeks' European trip.

HERMAN ROBBINS, president of National Screen Service, is basking in the Florida sun.

EDDIE AARON, assistant to W. ROGERS of M-G-M, is making a tour of all exchanges.

HERMAN GLUCKMAN is celebrating his 18th anniversary in the business this month.

GEORGE WHITE gets back from the Coast tomorrow and will go to the Warwick.

JOHN M. CRINNION, executive vice president of Amity Pictures, is back from a three-week vacation in Miami.

CHARLES W. BUNN, Erpi sales manager, is back from a business trip to Texas.

BILL SCULLY has taken to the road again for a short sales trip for M-G-M.

HAL HORNE left for Bermuda yesterday to recuperate from a recent illness.

JOHN MONK SAUNDERS' "Manne Maketh the Man" has been sold to M-G-M.

SAM MORRIS returns to his office next week. Date undecided yet.

HENRY SHEREK, British stage producer, is in New York from London.

JACK SPRINGER added another year to his age last week.

JACK STEINMAN returns from Miami on Monday.

CLEAR ALL WIRES

FOR THIS WIRE FROM THE SAGE OF THE GREAT SOUTHWEST!

NM = Night Message
NL = Night Letter
LCO = Deferred Cable
NLT = Cable Letter
WLT = Week-End Letter

ER. FIRST VICE-PRESIDENT

tion as shown on all messages, is STANDARD TIME.

GRAD SEARS

WARNER BROS PICTURES 321 WEST 44TH ST NY

YOU HAVE UNDOUBTEDLY HEARD BY THIS TIME THE SPLENDID MANNER IN WHICH AS THE EARTH TURNS WAS RECEIVED LAST NIGHT STOP PERSONALLY BELIEVE THAT WE WILL DO RECORD BUSINESS WITH FINEST CAMPAIGN THAT IT HAS BEEN MY PLEASURE TO WITNESS STOP AUDIENCE REACTION SPLENDID AND THERE WAS A POSITIVE CHEERING DEMONSTRATION AT THE FINALE OF FIRST PERFORMANCE AT WHICH TIME THE AUDIENCE INSISTED UPON THE AUTHORESS MISS CARROLL MAKING A SECOND APPEARANCE AND SPEECH STOP WE ARE ALL GRATEFUL FOR THIS OPPORTUNITY TO PRESENT A WORLD PREMIERE AND BELIEVE THAT IT HAS BEEN A STEP IN THE RIGHT DIRECTION FOR THE ENTIRE TERRITORY STOP AM ALSO POSITIVE THAT DALLAS CAMPAIGN WILL REFLECT GREAT RETURNS FOR THIS ATTRACTION EVERYWHERE STOP KINDEST PERSONAL REGARDS

R J ODONNELL (BLONDIE TO YOU)

125PM



WARNER BROS.

"As the Earth Turns" with Jean Muir, Donald Woods, 20 others. From the best seller by Gladys Hasty Carroll. Directed by Alfred E. Green. Vitagraph, Inc., Distributors.

End of Free Radio Shows Is Foreseen

(*Continued from page* 1)

John Shepard, M. R. Runyon and James W. Baldwin met in Washington yesterday and discussed the results of the joint conference.

The meeting of the three Code Authorities was the first of its kind and was presided over by William P. Farnsworth. Division Administrator Sol A. Rosenblatt attended.

Returning yesterday from the capital were Nathan Yamins, W. Ray Johnston, Kuykendall, Harold S. Bareford and John C. Flinn.

WASHINGTON, March 8.—The radio Code Authority today passed a resolution endorsing a permanent setup of committees from the radio, film and legitimate codes to deal with questions of mutual interest.

Boards Please All In Salt Lake City

(*Continued from page* 1)

the L. Marcus Enterprises says: "They're highly satisfactory. I've heard no complaints. The general feeling seems to be that all factors are represented."

Manager Andy Floar of the Star, an independent, has this to say: "It's all O. K. Most of the independents I've talked to seem pleased."

Irving Schlank, United Artists manager here, concurs. He says: "The appointments seem to be fair in every respect. Capable men have been chosen, I believe."

W. F. Gordon, Warners' manager, who holds the record for remaining upon Film Row for the longest period of any manager here, says: "The appointments are splendid and give equal representation. An all-around good choice in my opinion."

Jersey NRA Bills Worry Exhibitors

(*Continued from page* 1)

of state and local officials in the enforcement of codes, is a Senate measure and is yet to be acted upon.

Several states, it is understood, have changed statutes to make them conform to Federal NRA regulations, but so far as known this is the only state with legislative plans for active local enforcement and financing of the enforcement machinery through assessments.

Rosenblatt on Ad Code

WASHINGTON, March 8.—In addition to handling the transportation and amusement codes, Division Administrator Sol A. Rosenblatt has been placed in charge of the advertising code.

Harrises Arrive on Coast

HOLLYWOOD, March 8.—John H. Harris and Mrs. Harris are here on a pleasure trip. He may organize Variety Clubs at Pacific Coast points during his stay.

Few Board Changes Coming, Kuykendall

(*Continued from page* 1)

the authority, stated yesterday. Unless conclusive proof is submitted that the members selected are dishonorable they will not be replaced, he stated.

Kuykendall said it was expected protests would arrive on selections and it is not unusual that many of the men have enemies in the field who would like to see them removed. However, this is not influencing the authority to make replacements.

Changes will be made in instances where men have changed jobs and are forced to resign. One case is that of Ben Kalmenson, who recently was transferred from the distribution to the theatre department in Pittsburgh by Warners. Substitutions will be made in instances where men sell their theatre interests, such as T. H. Sharpe of Little Rock, Ark., who is to be succeeded on the Memphis board. Another situation which will require shifting is cases of resignation, such as Lawrence Lehman from the grievance board in Kansas City.

Smith, Sears Going To Coast for Talks

(*Continued from page* 1)

with Jack L. Warner. No definite number has been designated, but probably there will be 60 again.

ST. LOUIS, March 8.—Bert Perkins of the Warner exploitation staff is here from New York to prepare the advance campaign on "Wonder Bar" with which Warners will launch the Shubert Rialto.

Sound technicians are overhauling the equipment for the opening.

Seattle Calls Off Nazi Film Showing

(*Continued from page* 1)

troops, has been called off here after a scheduled showing at the Egyptian. Local sentiment is reported against it.

"S. A. Mann Brand" is the film which caused an uproar when shown in Portland, Ore., a few weeks ago. Its run at the Taylor Street Theatre in that city was marked by daily demonstrations laid at the door of Communists.

Norton Ritchey Back

Norton Ritchey of the Ritchey Export Corp. returned yesterday from a tour of Europe, where he made arrangements for distribution of Monogram product.

Musical Excites

Hollywood, March 8. — "Stand Up and Cheer," the Winfield Sheehan-Fox musical, not yet shown at a public preview, is hailed here as the last word in musical shows. It is a terrific comedy show with several outstanding comedy sequences. Jimmy Durante and Stepin Fetchit soar to new heights.

The show closes with a great production number of a song entitled "We're Out of the Red." Thousands of Americans, representing all branches of business and labor, parade to this leading song number. The whole show is probably the biggest and strongest musical production to date.

Loew-Union Talks Set for Saturday

(*Continued from page* 1)

Charles C. Levey, secretary-treasurer of Local 118, and Ben Golden of the Regional Labor Board. The Loew's representatives agreed to meet Levey tomorrow on negotiations for ushers' and cleaners' wage scales.

Golden recommended the reinstatement of five former Loew employes who are members of Local 118 and who were discharged recently, according to the union's complaints. Reinstatement will be held up, however, pending an investigation of the cases of the five by Loew executives.

Representatives of Skouras and Randforce circuits are scheduled to meet today with Levey and Golden at the Regional Board.

Elliott Takes Union Row to the Capital

(*Continued from page* 1)

has left for Washington with a complete file of all labor complaints. He will present his case to the Labor Committee of the House and will seek an audience with President Roosevelt.

As a last resort, the union head is considering a newspaper campaign here to concentrate attention on the situation until Al Berres of the studio labor committee is given what he calls a "fair and impartial" hearing. Berres is already in Washington.

Kent Returns Monday

S. R. Kent, who has been vacationing in Florida, returns to his office at Fox on Monday.

Amusement Stocks Show Gain

The five amusement issues listed on the N. Y. Stock Exchange and used in the *New York Times'* monthly index on market valuations, showed a paper gain of $1,222,799 in February as compared with January, which, in turn, showed a gain of $11,653,911 over December.

The detail follows:

	Feb. 26, '34 Shares Listed	Closing Jan.	Closing Feb.	Net Change	Change in Values
Fox Film, Cl. A	2,419,758	15⅞	14⅞	— 1	$2,419,758
Loew's	1,464,205	28½	30¾	+ 2¼	3,294,461
Madison Square Garden	319,139	4	3⅞	— ⅛	39,892
Radio-Keith-Orpheum	1,034,635	3	3⅜	+ ⅜	387,988
Warner Bros.	3,801,344	6¾	6¾	.....	.....
Total					+ $1,222,799

Expect Early O.K. on Deal In St. Louis

(*Continued from page* 1)

show their own product in the hous until Sept. 1, when the lease expire

Local gossip has it that Warner may even buy into the three units ur der F. & M. management and if thi happens the Warner freres will bu wark Marco and Arthur in their ti with Skouras.

SAN FRANCISCO, March 8.—With re turn of Mike Marco from New Yor where he conferred with his partne Harry C. Arthur, the first gun in local war with Skouras and F. W. (will pop within a week or so when th F. & M. Orpheum here returns t stage name attractions. Alread signed up are the Mills Brothers, Te Lewis, Earle Carroll's "Vanities." Ol sen & Johnson and 10 other box-offic personalities.

The flaring up of the F. W. C.- F. & M. trouble is the result of Spyr Skouras calling off a deal with Arthu and Marco which involved turnin over seven houses to them. When th tentative agreement was set, Skour agreed to turn over to F. & M. a nur ber of pictures if the Orpheum dropp its stage entertainments. The prese tations were abandoned, but Skour never lived up to the picture side the agreement, it is said. As a resu Marco is restoring shows and scou ing the market for the biggest nam possible.

Marco's homecoming with A. Balaban caused some speculation as whether the latter was lining up wi F. & M. Both Marco and Balab leave for New York to confer wi Arthur within the next few weeks a it is possible the trio may get t gether on a three-way partnersh deal.

MPTOA Men to Mee Before Conventio

(*Continued from page* 1)

first meeting will be held by the boa of directors, consisting of 24 de gates from various units. This gro will nominate officers for the ensui year. Following this session, the e ecutive committee, comprising sev division representatives, will conve to discuss the program and other a tivities of the convention.

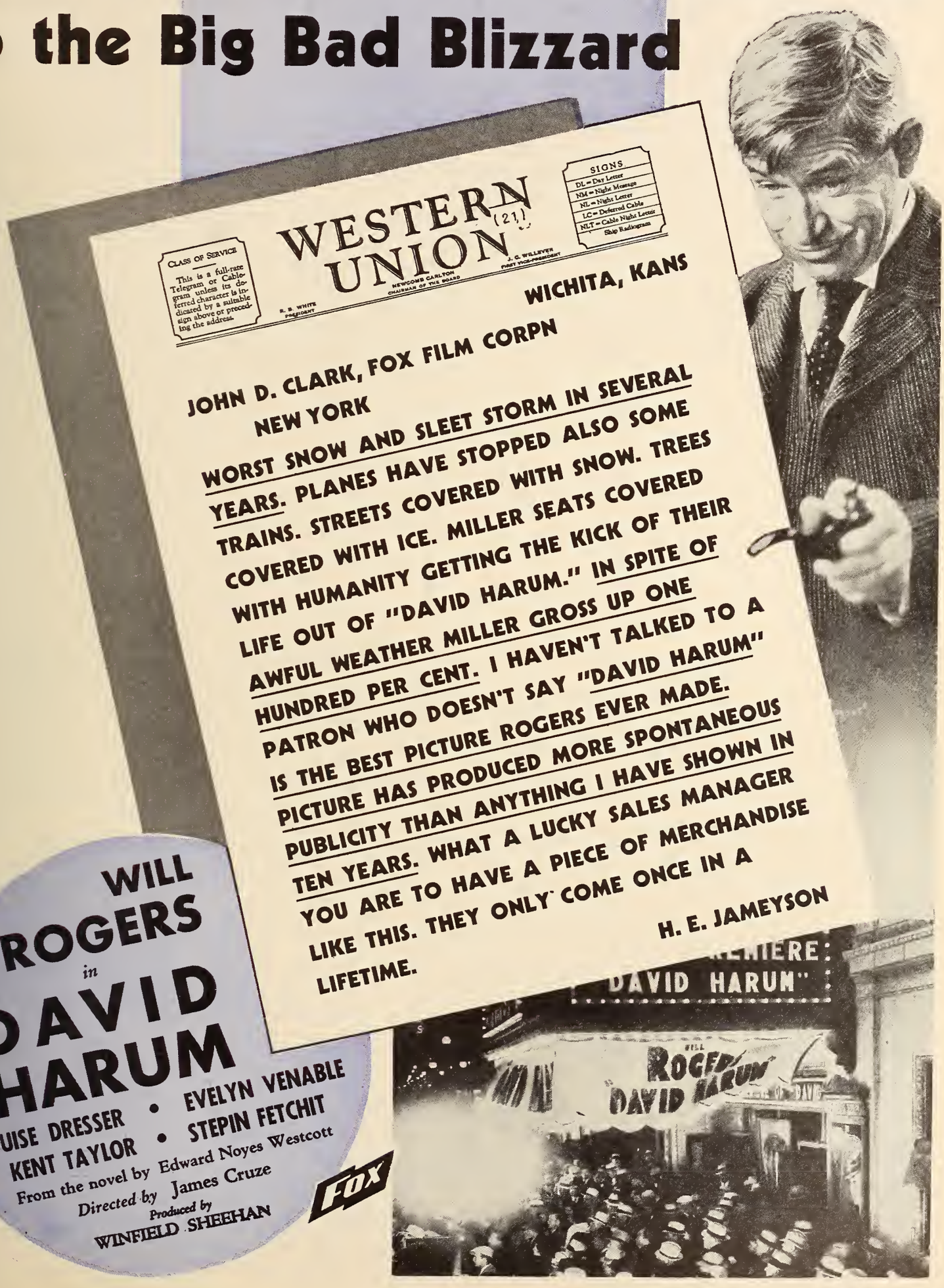
Ed Kuykendall, president, will p side at both meetings.

HOLLYWOOD, March 8.—Committe have been named by the Southe California Independent Theatre Ow ers' Ass'n. to handle all angles of t M. P. T. O. A. convention. Ben B instein will be general chairman a will act as ex-officio head of all co mittees.

Mediate in Milwaukee

MILWAUKEE, March 8.—Ha Bragarnick has been named media in an effort to avert a general thea strike because of exhibitors' refusal recognize the new theatre service e ployees' union. In the meantime pi eting continues at the Alhambra a Warner, but the pickets are stick close to the curb.

Look what "DAVID HARUM" did to the Big Bad Blizzard



WILL ROGERS
in
DAVID HARUM

LOUISE DRESSER • EVELYN VENABLE
KENT TAYLOR • STEPIN FETCHIT

From the novel by Edward Noyes Westcott
Directed by James Cruze
Produced by
WINFIELD SHEEHAN

FOX

Motion Picture Daily's Hollywood Previews

"George White's Scandals"

(Fox)

Hollywood, March 8.—After the shouting and hubbub enlivening its incubation, "George White's Scandals" comes forth in toto as a blend of mildish with good entertainment.

Conceived, created and directed by George White, according to the main title, others, too, according to the same title, are credited with executive production, direction of story, direction of numbers, music, lyrics, etc.

On the screen for the first time, "Scandals" is a strange mixture of Broadway ingredients, distorted showmanship, back stage drama, with name personalities, beautiful girls, fair and good numbers, some real and some burlesque comedy, some singable and some forgettable tunes, strung together on a thin story thread.

Broadway may take this one as it usually does White's "Scandals," but the hinterlands are a question for this form of entertainment, particularly on some of the comedy and some allusions in the kid number. It's quite possible that White's name, coupled with Vallee's recent front page publicity, together with other draw names, may bring 'em in, which is half the battle.

Standout number for eye and ear appeal is "Oh, You Nasty Man," with Alice Faye and some gorgeous dancing girls. Faye will be in demand after this with her singing and allure, and eyeful of curves and glamour—a potential star.

Rudy Vallee acquits himself well, crooning and loving.

Other good numbers are "Six Women," sung by Cliff Edwards as Henry VIII and his wives, and "Sweet and Simple" sung by Vallee and Miss Faye. "Ukelele Ike" steals the comedy spot with Jimmy Durante and Gregory Ratoff runners up.

The production is not flavored with distinction or originality with the exception of the fan curtain, adorned with live models gracing its folds, White's contribution from his stage shows.

Getting 'em in for this shouldn't be difficult, but getting 'em to talk after they've seen it to send others in, is another matter which presentation in various spots alone can decide.

"Crime Doctor"

(Radio)

Hollywood, March 8.—In the cycle of crime pictures now churning through the studios, "Crime Doctor" presents an arresting and entertaining murder yarn with a surprise twist finish.

Its key note is suspense. The plot unfolds sure-footedly with a measured tread. While not super chilling, interest is kept alert in an expectant mood.

As a crime specialist, Otto Kruger, jealous of Nils Asther's attentions to his wife (Karen Morley), concocts the perfect crime, planning to fasten the guilt on Asther. Kruger hires a former jail girl, Judith Wood, who rents an apartment next to Asther's, discovering Kruger's wife visiting there. Miss Wood decides to blackmail Asther. Kruger, informed of Miss Wood's plan, goes to her, secures a gun from Asther's apartment, returns and kills her. So contrived, the evidence points to Asther as the murderer, who, in trial, is adjudged guilty. The surprise finish should be so exploited, adding to the suspense if not divulged.

Neat direction by John Robertson from the story by Israel Zangwill gives the production class. Performances by Kruger, Miss Morley, Asther and Miss Wood are well turned, with support by William Frawley, Donald Crisp, Frank Conroy and J. Farrell MacDonald. Better than a program film, this will satisfy lovers of crime stories, once lured in by smart showmanship.

"She Made Her Bed"

(Chas. R. Rogers Prod.-Paramount)

Hollywood, March 8.—Formerly titled "Baby in the Icebox." Most of the action takes place in an auto camp, outside of the Pamona Fair grounds, owned by Lura (Sally Eilers) and her conceited, two-timing husband, Duke (Robert Armstrong). Wild Bill Smith (Dick Arlen), an amateur horse racer, arrives. He falls in love with Sally and wants to take her away when she discovers Armstrong in an affair with Eve (Grace Bradley), bound for the Fair. Miss Eilers' answer to Arlen is to the effect that—"I made my bed"—etc., and she sticks.

The climax takes place when a huge tiger, kept in the camp by Armstrong as bait for tourists, breaks its cage and wanders about the camp, finally ending up in the camp eatery where Miss Eilers has placed her baby in the icebox for safety. Fire breaks out when the big cat overturns a can of gasoline and the camp is burned, but not before Arlen has rescued the baby. In an attempt to capture the animal Armstrong is killed, leaving the road open for Sally and Arlen.

The dialogue has humor and force. Each of the cast gives an even performance, with Rosco Ates and Charles Grapewin ably supplying comedy as two handy hands around the camp. Direction by Ralph Murphy is good.

The production is acceptable program entertainment.

"Wharf Angel"

(Paramount)

Hollywood, March 8.—Working with a story of a Cinderella of the pavements, the cast values give "Wharf Angel" a zest that makes the picture interesting.

The story is laid on the waterfront. Victor McLaglen, a lusty sailor rescues Preston Foster from the police, who want him for a murder he did not commit. The pair ship on a boat for China as stokers. During the trip a friendship develops between the two men. Upon their return, however, McLaglen turns Foster over to the police when he learns that they are both in love with the same girl, Dorothy Dell, a girl of the wharf. Having put his friend behind the bars, McLaglen repents and pays the lawyer's bill to get him out. The ending indicates that Miss Dell and Foster will leave for Mexico.

Atmospheric scenes about the docks and aboard ship are good. Miss Dell shows promise with her first screen role as the "gutter lady" reformed after she falls for Foster. McLaglen gives plenty of gusto to his role. Alison Skipworth is fine as the owner of a waterfront cafe. Foster is pleasing. William Cameron Menzies and George Somnes directed with good effect. Photography by Victor Milner deserves mention.

Entertainment of program calibre.

"Let's Be Ritzy"

(Universal)

Hollywood, March 8.—This develops into a fast-moving domestic comedy, taken from the William Anthony McGuire stage play. It presents Lew Ayres in his first light comedy role, without playing him up for too much comedy. The producers have made Frank McHugh and Isabel Jewell carry the load, with Ayres and Patricia Ellis making the best of the romantic newlyweds for laughs.

Ayres portrays the role of a $30-a-week shipping clerk with Miss Ellis as the wife, who has champagne ideas. She works as a secretary but they are always broke. The pair are about to be evicted from their apartment when Lew is induced by McHugh to put on the ritz to the owner and pose as a winner in the stock market. With the aid of McHugh and Miss Jewell all succeed in putting across a lot of horseplay that keeps the action moving with many humorous incidents in their attempt to fool the landlord. Situations become involved with such sterling players as Berton Churchill, Robert McWade, Hedda Hopper, Addison Richards, Adrian Morris, Betty Lawford and Clay Clement being brought into the picture, to make it breeze with laughter and logic.

It all leads up to a surprising climax in keeping with a fast tempo and series of comedy situations preceding. Direction of Edward Ludwig is all that can be expected and photography of Charles Stumar is good.

Looking 'Em Over

"Ariane"

(Blue Ribbon)

Wherever "Catherine the Great" has played exhibitors can talk "Ariane" and sell it as Elizabeth Bergner's "first modern role in English." This girl is an artist who seems destined to create a stir in the film world.

Without her "Ariane" wouldn't get to first base, but with her the film has a great variety of emotional shadings, an absorbing vitality that makes it something more than a pleasant hour's diversion for audiences with enough sophistication to enjoy a delicately handled story of an illicit love affair without writing letters to editors or censor boards.

Two people, Percy Marmont, a man of the world, and Miss Bergner

(Continued on page 8)

Salt Lake City

Salt Lake City, March 8.—Thom- J. Walsh, representing affiliated tional distributors on the Salt Lake ty grievance board, launched his as- iation with RKO on April 15, 1928, a salesman here and, for some time, ncentrated on Montana accounts. On ec. 16, 1929, he was appointed local anch manager, his current post.

Irving Schlank, representing un- filiated distributors on grievances, oke into the business in Minneapolis 1915. He has been manager for BO in Omaha and for Universal in utte and Portland, Ore. Schlank ined United Artists on Dec. 22, 1930, id has managed branches for that mpany in Seattle and now Salt ake.

Harry David, representing affiliated hibitors on grievances, is a natural rn showman anyway you look at it, ving several uncles and cousins in e business. He first started his thea- ical experience in 1906, selling tick- s in the box-office of a legitimate eatre, where he continued as theatre easurer until the advent of motion ctures in 1909. At that time, he be- me manager of the Portola, prob- ly the first picture house in San rancisco, where he gained much aluable experience in the rapidly rowing industry. In 1916 was com- leted what was probably the finest eatre in the world at that time for e exhibition of motion pictures,— e California in San Francisco. Leav- g the Portola, David became head f the publicity department of the alifornia and later assumed its man- gement. With the expansion of the othchild interests, he was given the rection of the four theatres they ntrolled. For four years following is association, he had charge of the ission, Los Angeles, which was the rst house to inaugurate the policy of owing exclusive, long run pictures, higher admission prices. It was hile David was manager there that

Who? What? When?

Fourteenth instalment in a biographical series on the men who make up the code boards.

he first introduced what he claims is now known as a Hollywood premiere. Leaving exhibition, David became distribution head for the Mack Sennett Film Corp., with offices in New York, having in charge distribution of Sennett comedies throughout the United States. He first became associated with Publix in 1925 as division manager of the Publix-Blank circuit, controlling theatres in Iowa and Nebraska, from which, in 1929, he was transferred to Salt Lake, as division manager for the Publix-Marcus theatres in Utah and Idaho, which post he retains at the present time.

C. E. Huish, representing unaffiliated exhibitors on grievances, runs the Star in Eureka and is president of the Intermountain Theatres Ass'n., an organization not affiliated either with M.P.T.O.A. or Allied. His house seats 400.

Charles L. Walker, representing affiliated national distributors on clearance and zoning, has been in the employ of Fox at Salt Lake City since Oct. 23, 1917. He started as shipping inspector. Two years later he was given a bookership. On April 24, 1920, he became a salesman and five years later combined the bookership with the assistant branch managership and city salesmanship. He was one of the five salesmen who won promotions in a sales contest conducted during the 1926-27 season and on April 23, 1927, was made exchange manager.

Jack Rue, representing unaffiliated distributors on clearance and zoning, was born on Dec. 27, 1892, and educated at grade and high schools in Brownsville, Pa. From 1918 to 1921, he worked for Supreme Film; from 1921 to 1923 for Universal; from 1923 to 1931 for Pathe; from July to November of the latter year for M-G-M. He rejoined Universal on March 11, 1932, and currently is manager for that company here.

Louis Marcus, representing affiliated first runs on clearance and zoning, is Paramount operating partner in this territory and is mayor of Salt Lake City. He built up his own independent circuit throughout Utah and Idaho and sold it to Publix about 1928. Thereafter, Marcus was inactive in exhibition up to a year ago when, following the Paramount bankruptcy, he entered into a deal with the Paramount trustees to again take over operation of his former houses on a partnership basis. His picture career dates back to a mere incident when, dissatisfied with, but seeking, occupation as a machinist he "happened" to meet the first motion picture operator in Salt Lake, Max Florence, who stopped him asking if he knew anything about operating a machine. The only thing Marcus knew about the stage was an attempt, in 1906, which ended in failure, at minstrels, when he and his brother made a venture and their act was preceded by one staged by Jesse Lasky which, he states, not only obscured but obliterated the "Marcus Minstrels." Therefore, with more daring than skill, Marcus, sensing his chance for an occupation more to his liking, started as the technician, his first picture being "The Passion Play." Circumstances made the position of Marcus firm, if delicate, for there were no other operators available in this section. He later became distributor of films in the intermountain states for Famous Players Lasky with Lasky at the head, Marcus being the original Franchise holder when they started business in Salt Lake. He has been in the business almost continuously since that time. His houses include the Paramount (1,240 seats) in Provo; Capitol (2,400), Paramount (1,400) and Victory (1,236) in Salt Lake; Idaho (540) and Orpheum (798) in Twin Falls, Idaho.

B. F. Thatcher, representing unaffiliated first runs on clearance and zoning, operates the 1,500 seat Capitol and the 700 seat Lyric in Logan. He is a member of the Intermountain Theatres Ass'n.

Joseph Lawrence, representing unaffiliated subsequent runs on clearance and zoning, runs two theatres in Salt Lake. One is the Rialto (900 seats) and the other the States (675). He, too, is a member of Intermountain Theatres Ass'n.

John Gillette, second exhibitor representing unaffiliated subsequent runs on clearance and zoning, runs the Strand (500 seats) and the Ritz (250 seats) in Tooele. Like other exhibitors on the Salt Lake boards, he is enrolled on the roster of Intermountain Theatres Ass'n.

Who Bitker Is

Milwaukee, March 8.—Pierce H. Bitker, impartial member on the local grievance board, is vice-president of the Bitker-Gerner Co., women's ready-to-wear firm and a well-known local business man.

He is not secretary of the Association of Commerce as stated by Code Authority, but was recommended by that group as an acceptable member. Bitker, however, holds no official post with the body although he has served on various of its committees.

Cincinnati

Cincinnati, March 8.—The big igh last week around the gaming oles was sprung just prior to arrival members of the "Moulin Rouge" ravan, who became guests of the ub. When it was announced a rty would be given for the travelers, e members were told it would be a ght for making merry. Shortly be- re the festivities started, several kers inquired which "Mary" they re supposed to "make."

Two new barkers are enrolled in local membership. They are Eddie Miller, lightweight boxing ampion, and Maz Katz, fight omoter.

The farewell testimonial dinner for L Gehring was postponed, in der not to conflict with the party the Detroit Club, also set for Sat- lay night.

Allan (Columbia) Moritz, presi- t of the local club, headed the Cin- nati delegation in its trek to the troit shindig.

Capt. John D. Craig, explorer d underseas adventurer, gave the mbers a graphic description of his ny experiences. He was here to ture on his picture, "Sea Killers."

Abe Lipp, treasurer extraordinary, a narrow escape from serious in- y, if not death, when the door of automobile came open while he s leaning against it.

Variety Club Chatter

All members of the Cincinnati grievance and clearance and zoning boards are members of the Variety Club, either here or in Columbus.

Ralph Kinsler is the new chairman of the house committee. He replaced Moritz, who recently began parking his anatomy in the president's chair.

Barkers are extending their sympathies to Nelson Trowbridge, resident manager of the local Shubert, whose brother passed away in Knoxville.

L. B. Wilson is enjoying the warm sunshine in Florida, while his brother barkers up here are fighting zero weather.

Morris Segal is looking 'em over along the main stem in New York.

Cleveland

Cleveland, March 8.—More than 130 turned out for the first "King for a Day" luncheon. Nat Holt and Fred Meier were the first "kings." Their show included the entire "New Yorkers" cast headed by George Givot, and augmented by a chorus of 24. Norman Frescott acted as master of ceremonies. Joe Condulla and his Avalon Club Orchestra provided the music, and Irene Duval, stepped in from the Mayfair Club long enough to sing a trio of her intimate songs.

Barker Ed Bang, sports editor of the *News*, celebrated his birthday, by entertaining almost two score of guests at the club. Among the celebrities at the Bang table were Judges Silbert, Baer and Skeel, former Mayor Ray T. Miller, U. S. District Attorney Freed and State Senator Mosier.

Howard Dugan, Hotel Statler manager, has given such wholehearted co-operation to Chairman Addie Addison's house committee that the board of trustees elected him an associate member.

George Stevens, Cameo theatre manager, is painting oils of John Harris and the 11 organizers of the club to hang in the clubrooms.

Barker John Hemmelein of Paramount won the door prize at the first "King for a Day" luncheon. It consisted of four bottles of imported liquors donated by Monaco's. But since John had just stepped on the water-wagon, he gave all four to friends—presumably to exhibitors who might be in the market for Paramount product.

Barker A. Addison is burning because a defect in a photographer's plate made him appear in a picture as having a black eye.

George Givot and Norman Frescott, who appeared at the Palace in the "New Yorkers," were partied at the club by Barkers Holt and Meier. It was a reciprocal gesture for their good work toward making the first "King for a Day" luncheon a success.

Kansas City

Kansas City, March 8.—With formal organization of a Variety Club here, Kansas City becomes the western outpost of the fraternity of good fellowship.

Consensus is the club is in expert hands and that the selection of officers could not have been improved upon. Chief Barker Frank Hensler has distinguished himself as promoter of industry, social and benevolent activities, and his election by a large majority is due mainly to that consideration. Also to the fact that he is an able citizen and a "regular."

The membership acclaims the efforts of Wagon Man Charles Shafer and First Assistant Chief Barker Arthur Cole, who were

(Continued on page 8)

Pickford Deplores Plight of Indies

(Continued from page 1)

ent from major outfits unless they lend writers, directors and stars of equal importance.

Miss Pickford claimed the taboo on borrowing is the stumbling block of the little fellow and he is being crowded out of the business.

"The industry needs stimulation, but where it is coming from I do not know," she stated. "We need more pioneers, men who think of giving rather than getting.

"One moment this business of producing is an art, and the very next minute it is turned into a manufacturing business," she opined.

"This business of trading personalities is all wrong," she stated. "Unless I have someone of similar importance to Gary Cooper or Clark Gable, I cannot borrow either star from Paramount or M-G-M."

Miss Pickford cited an instance between M-G-M and Columbia where Gable was loaned to Harry Cohn when the latter sent over Frank Capra to direct on Leo's home ground.

The star said she has no difficulty with her releases, as she still owns one-sixth interest in United Artists Distributing Corp., the main trouble being in trying to get other studios to lend contractees for her pictures.

The star regretted not having closer contact with the Ampa, at which she spoke, and its members. She said she received "marvelous cooperation" from the press on her four-week personal appearance tour and invited all attending the M. P. T. O. A. convention on the coast to be her guests.

Two U. A. Salesmen Made Branch Heads

Two salesmen in the field have been promoted to branch managers by United Artists in a shift of personnel which elevates Harry Lotz to charge of the Milwaukee office and Fred Rohrs, formerly of Kansas City, to Charlotte as head. G. I. Bradford joins the Kansas City force to fill in Rohrs' place.

Walter Loewe of the Washington office has been transferred to Charlotte and George Dillon, recently attached to the Atlanta staff, is now working out of Washington.

Charles Stern, assistant division manager in the east, is in Charlotte on a tour of the south and L. J. Schlaifer, western division manager, left last night for Detroit and the west.

Franklin Going to Coast on Film Deal

Harold B. Franklin will leave for the coast in about a week and may negotiate for a director and players for pictures which he plans to put in work in the near future. No details are set yet, it was stated, and no decision has been made on whether production will be here or on the west coast.

Franklin has acquired rights to the title "Fourteenth Street," from Simon & Schuster, publishers of the book of that name, and plans to use the title for a film which he may make from an original story. Dramatic and film rights to "The Saga of Battleship Gertie" were acquired by Franklin last week.

Looking 'Em Over

(Continued from page 6)

young students in Paris, strive to preserve a take-it-and-leave-it attitude toward love. She, posing as a sophisticate, tells him of her past conquests. He assures her he will leave when his business in Paris is finished. Each is intent upon preserving an air of emotional detachment.

A compelling emotion draws them together again even after he has stayed away from her for three months. Marmont is adequate. His work is convincing at all times, but the delicate shadings of this girl's moods, her outward restraint in moments of deep emotion—a restraint which gets over to audiences through some subtle hypnotic quality in her many faceted makeup—make her acting a delight to watch.

Production values are lacking. The settings are little more elaborate than an average stage play, but direction by Paul Czinner is skillful.

"The Moth"

(Showmen's Pictures)

As commonplace as the title leads you to suspect, "The Moth" is a weak picture that can be recommended only for double feature programs.

The title will give a clue to the sort of story that lies in store. Sally O'Neil is a wild creature who risks losing her inheritance under the terms of her father's will when an escapade at a hot party lands her on the front pages. In the hope of taming her, her guardian asks Paul Page, an engineer in his employ, to keep an eye on her. When Sally betakes herself to New Orleans at Mardi Gras time in a sudden desire to get away from her friends, Page trails her.

The girl finds herself in the toils of the law when her friendship for a night club dancer being shadowed by a detective as a thief leads to her arrest on the suspicion of being an accomplice. The arrest of the dancer and the gang she is operating with absolves Miss O'Neil, who by now is aware of Page's purpose in keeping her under surveillance. And, of course, wedding bells can be heard in the distance if one has any imagination at all.

The acting is not of the best and the direction of Fred Newmeyer routine. Wilfred Lucas, Fred Kelsey and Duncan Renaldo are also in the cast.

"What's Your Racket?"

(Mayfair)

"What's Your Racket?" manages to be consistently entertaining because it clings successfully to its intention not to reveal the motive that impels its central character to rob until the last few minutes of the footage. This belongs to the gangster category and makes plenty of noise in the unfurling of its plot—a plot which, while stereotyped, is pieced out with enough cleverness to hold the attention.

Noel Francis is set on getting even with a gang of bank robbers who framed her father, a clerk in the institution, who died in jail for a job pulled off by them. She obtains a job in a night club operated by one of them. One night, disguised as a man, she steals from his safe part of the money stolen from the bank where her father had been employed. She is discovered and escapes with the aid of Regis Toomey, who is unaware of what she is up to.

When the discovery is made that she took the dough, the club owner and his gangster pals go gunning for her. Toomey and the police, who have been tipped off on the fate that awaits her, help her out and wipe out her enemies. Toomey, it turns out in the end, is an agent investigating the very robbery for which her father paid the penalty. Her father's name cleared, she and Toomey are on their way to get a marriage license when the film ends.

Miss Francis does the best work. Toomey acts competently, as do Creighton Hale and J. Carrol Naish as two of the bad boys. Fred Guiol directed.

"Spitfire," yesterday's opener at the Music Hall, was reviewed by wire from Hollywood on Feb. 15.

"Six of A Kind," this morning's opener at the Paramount, was reviewed by wire from Hollywood on Jan. 19.

"Midnight," last night's preview at the Roxy, was reviewed on Nov. 21.

To Talk to Catholic Guild

Brandon Tynan, Donald Brian, Pedro De Cordoba and Gene Buck will speak at the Founders' Day celebration of the Catholic Actors' Guild at the Hotel Astor March 16. The program will be in charge of Elizabeth Lonergan, guild historian.

Grainger Busy on Third

HOLLYWOOD, March 8.—Having two productions, including "Alias the Deacon" and "Frailty" now in production at Universal, Edmund Grainger, one of the younger producers on the "U" lot, is busy preparing "Left Bank" for early starting.

Variety Club Chatter

(Continued from page 7)

largely instrumental in organizing th club. SHAFER brings to the unit hi experience as an active member o the original club in Pittsburgh fo two years, as well as being the clu treasurer.

Weekly luncheon meetings will b on Mondays, starting at 11:30 an lasting until one o'clock. Place wil be the Kansas Citian Hotel, wher club quarters are virtually assured.

Dues are nominal—$2 a month fo active members, plus $4 entrance fe Dues were held to that level as th most accessible basis for the younge element among prospective member Organizer SHAFER stressed, howeve that the aim is quality not quantity and assured that on the basis of h budget for the first year, the due will suffice.

Chief Barker HENSLER has name the following entertainment commi tee: GEORGE BAKER, chairma LAWRENCE LEHMAN, JOHN M MANUS, IRWIN DUBINSKY, HARR PAUL and L. E. POPE.

Membership committee consists BILL TRUOG, HARRIS P. WOLFBER MAX ROTH, BOB WITHERS, PE BAKER.

Publicity is in the hands BARNEY JOFFEE, BILL WARNER, L FINKELSTEIN and AL FINESTON your Kansas City correspondent.

Signing of applications and ele tion of officers was accomplished wi dispatch at the organization meetin Nominating committee was ARTH COLE, L. J. MCCARTHY, BILL WA NER, ED SHANBERG and EARL JAM SON.

Review Granted on St. Louis Decisio

ST. LOUIS, March 8.—Word h been received here that Division A ministrator Sol A. Rosenblatt has March 14 for a review of the arbit tion award made by Dr. William Patton in favor of the operato union in its controversy with th tres over wage scales.

Dr. Patton, serving with Os Kleintopf, business agent of the uni and Fred Wehrenberg, head of M. P. T. O. unit, decided in fa of restoring the scales in effect April 16, 1933, with back pay to S 5. Wehrenberg went to Washing to appeal the decision.

Income, Sales Tax Presented in Oh

COLUMBUS, March 8.—Two i tax bills were introduced this w in the Legislature. One provides an income tax beginning at two cent on $2,000 and running to five cent over $4,000. The other is a th per cent general sales tax.

Governor White favors the s tax, although it has been defe twice in the past, and exhibitors pr it to the 10 per cent admission now in effect.

Denig Assigned Eas

Lynde Denig has been appoi eastern representative for Helen guson, whose publicity bureau h quarters are in Hollywood.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 35. NO. 57 NEW YORK, SATURDAY, MARCH 10, 1934 TEN CENTS

"U" to Fight Reel Cuts by Chicago Board

Test Case Planned When Orders Are Issued

CHICAGO, March 9.—A test case of Mayor Edward Kelly's standing order to his police department censor board to eliminate riot scenes from newsreels will be made at the first instance of such censorship, Henry Herbel, Universal branch manager, told a gathering of newspaper men while denouncing the Mayor's order as a "step toward censorship of the press." Universal newsreels will refuse to make any cuts ordered by the Mayor, Herbel said.

He revealed that local distributors last year paid the censor board $67,000 in license fees while the actual operating cost of the board was $37,000. Chicago is the only city in the country endeavoring to censor newsreels, Herbel said.

Paramount to Cut Down Shorts List

HOLLYWOOD, March 9.—Paramount will cut down on its short subject list next year, because of the code provisions covering selling, it is said. It is possible that no product will be taken from outside producers.

The present setup with associate producers is to be continued.

Cuts Will Improve Product—Johnston

Reduction of the Monogram schedule from 36 to 20 next season will improve dual bills and help the Federation of the M. P. Industry and its allied distributor and exhibitor members in developing this policy, accord-

(*Continued on page 2*)

Checking Up "C. A."

Division Administrator Sol A. Rosenblatt has sent a letter to Executive Secretary John C. Flinn asking him to check up his help to see if he is violating any labor provisions of the code. The notification is a formal letter which goes to all industry members flying the Blue Eagle.

This Is Their Oath

NRA MEMBER U.S. WE DO OUR PART

Code of Fair Competition for the Motion Picture Industry

Oath

The undersigned hereby accepts the appointment of the Code Authority of the Motion Picture Industry to act as a member of the Local Grievance
Local Clearance and Zoning Board for the _____ Exchange Territory and hereby swears to fairly and impartially determine whatever issue is presented to such Board.

_____

STATE OF }
COUNTY OF } SS.:

On this _____ day of _____, 193 before me personally came and appeared _____ to me known and known to me to be the person described in and who subscribed to the foregoing and took oath to the statements by him subscribed.

_____
(Notary Public)

How code board members will swear in under form of oath prepared by Division Administrator Sol A. Rosenblatt. The forms will go out from Code Authority offices immediately.

St. Louis Is Pleased With Personnel of Code Boards

ST. LOUIS, March 9.—General satisfaction is expressed in this territory over the selections for the clearance and zoning and grievance boards. Chief interest now centers in when they will start functioning as there is an accumulation of problems that exhibitors want settled.

Nothing can be done until the impartial members are chosen and word is received on methods of procedure.

Most of those who comment on the board selections point out that practically all the members except Clarence Turley have had experience in

(*Continued on page 3*)

Detroit Mid-States Suit Up on Mar. 20

DETROIT, March 9.—Ray Moon, head of Mid-States Theatres, Inc., who has been in Florida for several weeks, returns from his vacation on Monday.

Suits of Al Ruttenberg of the Iris. Ruby Fischer of the Plaza, and Lew

(*Continued on page 3*)

Milwaukee Theatres Threaten Closings

MILWAUKEE, March 9.—Theatres here are still adamant in their refusal to recognize the new Theatre Cashiers', Doormen's and Ushers' Union. Mediation has been refused and Fred S. Meyer, head of the M. P. T. O. of Wisconsin, predicts general closings by March 15.

Cancellations To Be Granted On Many Pacts

Majors Accept 10% Rule In Individual Cases

Despite leading distributors' "disagreement" with Division Administrator Sol A. Rosenblatt's interpretation of the code's 10 per cent cancellation provisions, practically all companies will apply the ruling voluntarily in a large number of individual cases, it was determined yesterday.

Rosenblatt's interpretation holds that the cancellation privilege applies to qualified contracts as of Dec. 7, even though the contracts were closed prior to that date. Distributors "disagreed" with this interpretation when it was announced at a meeting of Code Authority Feb. 26. It is learned now that the objecting distributors, who are Columbia, Fox, M-G-M, Paramount, RKO, Warners and Uni-

(*Continued on page 3*)

Richey Objects to Boards in Michigan

DETROIT, March 9.—H. M. Richey, general manager of Allied of Michigan, is the only film leader in this territory to object to the makeup of the clearance and zoning and grievance boards. His objections are not to the personnel, as he considers this high class, but to the ratio of representation for independents.

Richey issued the following statement:

"Michigan will never be satisfied with the boards as at present set up, not from the angle of personnel, which

(*Continued on page 3*)

Deadline Midnight; Hope of Delay Ends

WASHINGTON, March 9.—With the reminder that assents to code must be postmarked midnight Saturday to be valid, the NRA announced tonight that no request for a further extension of time for signing had been received.

(*Continued on page 3*)

Who? What? When?

Fifteenth instalment of the biographies of the men who make up the code boards appears on page 4 today.

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M. P. Club Picks Depinet

Ned E. Depinet, president of RKO Distributing Corp., has been elected a director of the M. P. Club, supplementing a board which already includes Jules E. Brulatour, Jack Cohn, Will H. Hays, Al Lichtman, Carl Laemmle, H. J. Yates and Adolph Zukor. Additional directors are to be named later.

Raft Tired; Will Rest

HOLLYWOOD, March 9.—George Raft has worked 20 consecutive weeks and his doctor tells him he needs a rest. For this reason he will not play in Mae West's 'It Ain't No Sin" and will go to Europe instead. Paramount is considering Spencer Tracy and Buster Crabbe for the role.

Billboard Bill a Law

ALBANY, March 9.—Governor Lehman today signed the McNaboe bill which prohibits the erection of any outdoor advertising signs within 500 feet of a state parkway or park without permission from the Regional Park Commission.

"Nymph" Goes to Roxy

Harry Arthur has booked "The Constant Nymph" into the Roxy starting April 6.

12th WEEK ON BROADWAY

"Forgotten Men"

JEWEL PRODUCTIONS, 723-7th Ave., N. Y. C.

Columbia Lines Up Players for Dance

Columbia has lined up a list of stage and screen personalities for its annual dance at the Waldorf Astoria tomorrow night. Harry Hershfield, Julius Tannen and Milton Berle will act as masters of ceremonies.

Among those set for the entertainment program are: Harriet Hilliard, Ozzie Nelson and his band, Hannah Toback, Buck and Bubbles, Borrah Minnevitch, Three Scamps, Alexander Oumansky & Co., Fifi Dorsay, Gregory Ratoff, Sonia, Emile Boreo, Armida, Roy Smeck, Stoopnagle & Budd, DeCastri & Liane, Muni Arganto, Meta Carlisle, Madge Bellamy, Conrad Thibault and Sally O'Neill.

Ask Bondholders to O.K. St. Louis Deal

ST. LOUIS, March 9.—The first mortgage bondholders for the Missouri, Ambassador and Grand Central today sent to all bondholders copies of the re-organization plan as submitted by F. & M. If the proposed plan is approved by the bondholders, the court will be asked to sanction a foreclosure sale.

To Check on Periodicals

HOLLYWOOD, March 9.—To guard against fly-by-night screen periodicals the publicity executive committee of the M. P. Producers' Ass'n. today passed a resolution compelling members to refuse recognition to such publications until proven bona fide.

Three More for Fox

HOLLYWOOD, March 9.—Three more stories have been announced by Fox for the new season, Sinclair Lewis' "Work of Art," "Nymph Errant," English stage play, and a tale based on the life of William Travers Jerome.

K. C. Mobs Gable

KANSAS CITY, Mo., March 9.—Clark Gable was mobbed last night when he stopped off here for a half hour for a personal appearance at Loew's Midland while en route to Hollywood.

Off Comes Roxy

Roxy's name, which has adorned the upright and marquee signs at the Music Hall since the theatre opened, no longer is there.

Electricians who did the removal job have merely blanked out the space so long occupied by the signature in Neons.

May Go to Justice Dept.

KANSAS CITY, Mo., March 9.—Union officials will carry their fight against Ed Dubinsky to the Department of Justice on the charge of code violation should the National Labor Board's settlement of the labor dispute involving his houses in St. Joseph fail to satisfy them, it was learned today.

Brown Succeeds English

TORONTO. March 9.—Emanuel Brown, formerly general manager of Empire Films, Ltd., of this city, has been appointed branch manager of Paramount Film Service, Ltd., at Montreal. He succeeds Edward English, who has resigned.

Rogers Quits Para.

HOLLYWOOD. March 9.—Charles R. Rogers announced personally today his withdrawal from Paramount upon completion of the remaining four productions on this season's program. He plans to continue independently.

Seidelman to Genoa

PARIS, March 9.—Joseph Seidelman has left for Genoa where he will meet his wife, who is on her way from New York.

Grainger on Trip

James R. Grainger leaves for a quick trip to Universal's Middle Western exchanges today. He will be gone a week.

Dietz Returns Monday

After several delays on the coast, Howard Dietz returns to New York on Monday.

Many Down on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	25	25	25	.....	100
Consolidated Film Industries	4¾	4⅜	4½	— ⅛	1,300
Consolidated Film Industries, pfd	16½	16¼	16¼	— ⅛	200
Eastman Kodak	90	89	89	— ½	400
Eastman Kodak, pfd	132	130	130	— ½	6,000
Fox Film "A"	15⅝	14¾	14¾	+ ⅛	200
Loew's, Inc.	32¼	31½	31½	— ½	5,700
Loew's, Inc., pfd	90	90	90	.....	100
M-G-M, pfd.	23	23	23	+ ¾	200
Paramount, cts.	5¼	4⅞	4⅞	— ¼	8,100
Pathe Exchange	3⅞	3⅝	3⅝	.....	3,400
Pathe Exchange "A"	20	19¾	19¾	.....	600
RKO	3⅞	3½	3½	— ⅛	2,000
Warner Bros.	6⅞	6⅝	6⅝	— ⅛	2,500
Warner Bros., pfd	20½	20½	20½	.....	100

Trans Lux Sole Curb Opener

	High	Low	Close	Net Change	Sales
Trans Lux	2¼	2¼	2¼	.....	100

Paramount F. L. Bonds Drop 1¼

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	10	9½	9½	+ ⅛	30
General Theatre Equipment 6s '40, ctf	9	9	9	s7	2
Keith B. F. 6s '46	63¼	62½	62½	— ¾	3
Loew's 6s '41, ww deb rights	95½	95½	95½	+ ½	1
Paramount F. L. 6s '47	44¾	44¾	44¾	—1¼	2
Paramount Publix 5½s '50	45½	45½	45½	— ½	2
Pathe 7s '37, ww	93	93	93	—1	2
Warner Bros. 6s '39, wd	55½	55	55⅜	+ ⅜	25

Cuts Will Improve Product—Johnston

(*Continued from page* 1)

ing to W. Ray Johnston, Monogram president.

The company intends to concentrate on story values, he says, and at the same time get better advertising and exploitation results.

"By producing fewer pictures," Johnston states, "we will be able to inject greater values and make them ideal companion features on any program. It has been our observation that the most successful pictures are those that have unusual stories, carefully adapted to the screen and enhanced by intelligent and plausible dialogue. Pictures of this type cannot be produced over night. We have built up an elaborate story department and are spending anywhere from one to three months on every story we put into production. We will shoot the scripts exactly as written.

"I believe all companies are gradually coming to the same way of thinking. A notable case is Columbia, which have achieved remarkable success with such pictures as 'Lady for a Day' and 'It Happened One Night' primarily on the strength of the story values in the pictures. Our latest release, 'Beggars in Ermine,' has confirmed our belief in this method of production."

Monogram Set for European Selling

Monogram will have 100 per cent distribution in the United Kingdom and on the continent, according to Norton V. Ritchey, executive director of the Ritchey Export Corp., foreign distributors for Monogram, who has just returned from a three-month European trip.

He says he has closed a contract with W. J. Gell, managing director for Pathe Pictures, Ltd., in the United Kingdom.

Aurora Films will handle the line up in Belgium. An office is to be opened in Prague by I. Ronin to service central European countries, including Austria and Germany. Imperator Films will act as distributors in France and Switzerland.

Flash Review

"No Funny Business"—. . . poorer than average entertainment. . . .

A review of this film will appear in full in an early issue of MOTION PICTURE DAILY.

MOTION PICTURE ALMANAC

1934-35

NOW IN PREPARATION

WHERE THE WORLD LOOKS FOR MOTION PICTURE facts

PRICE $5.00



Cancellations To Be Granted On Many Pacts

(Continued from page 1)

rsal, are primarily concerned with e right to determine for themselves d on an individual account basis iich of the contracts made prior to ec. 7 merit the cancellations. Many such contracts, it is learned, ll be granted the privilege without estion. Others may be objected to, sales representatives declare that ntract terms in many instances re arrived at as a result of a speci- agreement that the entire picture iedule of the distributors was being ken and that no cancellations would made without payment for the pic- es cancelled. Wherever these pro- ions are contained in the contract, is believed by distributors that the senblatt ruling will not apply.

Rule Cleaners Come Under Theatre Code

An NRA legal department interpre- ion received here yesterday by Local 3, Theatre and Amusement Em- yes' Union, holds that cleaners en- ged in theatre work come under the ior provisions of the film code even ough such employes are in the serv- of a cleaning contractor and not ployed directly by the theatre. The union asked for the interpreta- n in order to proceed against clean- service contractors in Brooklyn atres that are charged with work- employes anywhere from 50 to 72 irs weekly instead of the 40-hour ximum specified in the code. Additional meetings between Charles Moskowitz of Loew's and Charles Levey of Local 118 in connection h the opening of new wage scale otiations for ushers are scheduled today. The union representatives t yesterday with representatives of puras and Randforce circuits at the A Regional Labor Board here.

Deadline Midnight; Hope of Delay Ends

(Continued from page 1)

e official view was that adequate e had already been given. Divi- n Administrator Sol A. Rosenblatt le it emphatic today that no per- failing to sign would be eligible appointment to any of the code rds.

Orders Operators' Raise

EW ORLEANS, March 9.—The A compliance director here has ructed the Liberty to raise its rators' scale to that of first run ses and to pay the difference in c pay due from date of opening. uble arose when the Liberty, after ing a second run contract with union, opened as a first run house. operators went to the compliance ctor and asked an investigation.

Radio Move Endorsed

any favorable responses have been ived on attempts to eliminate free o shows, Code Authority stated erday.

Richey Objects to Boards in Michigan

(Continued from page 1)

the general opinion of our board of directors approved heartily, but because under the representation as provided in the code itself we find two sellers of pictures and one theatre affiliated with the sellers to one independent buyer of films on grievance boards and the same situation in the zoning and clearance boards.

"General approval of the personnel of the boards has been voiced, but lamentations also have been voiced that the makeup of the divisions of the board could not have been an even number of sellers of films to an even number of unaffiliated buyers of films, with the ultimate decision, if necessary, to an impartial man.

"While every man labeled as an independent is fortunately an independent in Michigan and, as far as we know, is not affiliated with M. P. T. O. A., the organization made up of affiliated theatre owners, unfortunately they are in a tough spot because there are not enough of them to protect themselves and they are entirely dependent on the fairness of the affiliated and producer members if they hope to render equality. Fortunately, high type men have been selected in Michigan.

"It is unfortunate that H. A. Harrington was not selected as the fifth man on grievance instead of zoning, as his experience has been along this line with the Board of Commerce, I understand, but as far as Kenneth C. Weber is concerned, I never heard of him or who recommended him."

Rosenblatt Approves Extras' Code Ideas

WASHINGTON, March 9.—Interpretations of the code recommended by the extras' committee have been approved by Division Administrator Sol A. Rosenblatt and will become effective tomorrow. The interpretations include definitions of various types of extras and outline the wardrobe each class is expected to have. Any extra speaking atmospheric or other lines is to receive a minimum of $25 a day. Fifteen-dollar extras will be required to have full equipment of formal and sport clothes. Ten-dollar extras are to have smart and street clothes. Character extras to receive $7.50 are to have ordinary clothes, and miscellaneous extras where no costume fitting or interview is required are to receive $5.

Agents, State Confer

HOLLYWOOD, March 9.—Ten lawyers representing agents met with the State Labor Bureau yesterday and voiced their opinions on how the state may regulate the agency situation. The meeting was at the request of Commissioner Thomas Parker and his attorney, Charles Lowry. Their reports will be taken under consideration, with a ruling expected later in the month.

To Report on Vaude

A report on the vaudeville situation is expected to be made to Code Authority by Division Administrator Sol A. Rosenblatt at Monday's meeting. At this meeting it is expected rules and regulations for clearance and zoning and grievance boards will be approved.

Sues Over Picture

Philip A. Levine, an attorney, passed the Academy of Music on Feb. 22, 23 and 24 and says he saw a picture that resembled his own likeness and that it placed him in "foolish position." Now he is suing Skouras Theatres Corp. for $15,000. His complaint says he was billed as a vaudeville actor.

Theatre attaches were surprised when informed of the suit and said Levine's name was not used in any advertising or lobby displays.

"We never use phoney pictures of actors," it was explained. "We get plenty of real ones."

"In 1931 I ran for assemblyman and had my picture taken in a theatrical studio," Levine said last night, "and they used this picture."

Amity Sells French Rights to 2 Films

French dubbing rights to "Strangers of the Evening" and "Murder at Midnight," Amity pictures which were formerly distributed by Educational, were sold to William Fitelson, attorney for Amity, during his recent European business trip. Amity retains no interest in the distribution of the French versions.

While abroad, Fitelson also won the British censor board's agreement to reconsider licensing "Leftover Ladies" and "Morals for Women," which had been banned previously by the British board. Revisions in the pictures, also Amity properties, will be made. British distribution rights are held by Gaumont-British.

Agents Are Told to End Some Practices

License Commissioner Paul Moss of New York told members of the National Ass'n of Theatrical Artists' Representatives to discontinue allegedly unfair practices at a meeting at the Astor Thursday evening. The members amended their code of ethics as a result of suggestion from Code Authority and also adopted by-laws of the constitution.

Detroit Mid-States Suit Up on Mar. 20

(Continued from page 1)

Kane of the now defunct Mayfair, against the booking combine, charging conspiracy to prevent them from buying film, have been coordinated and will be tried as companion cases. They are scheduled to come up in Circuit Court on March 20.

M-G-M Files Appeal

LONDON, March 9.—Metro-Goldwyn-Mayer Film Co., Ltd., has filed an appeal from the verdict awarding $125,000 to Princess Irena Youssoupoff on the ground that she was libelled by "Rasputin and the Empress."

Poster Renters Meet

Poster renters from all parts of the United States met yesterday at the Lincoln behind closed doors. Another meeting is scheduled shortly.

St. Louis Is Pleased with Board Names

(Continued from page 1)

sitting in on arbitration cases with no questions as to their fairness.

Barney Rosenthal of Premier is the dean of local exchange men and is very popular. B. B. Reingold runs him a close second. Leto Hill of the St. Louis Amusement Co. and Lou Ansell, unaffiliated exhibitor, are also held in high regard. They make up the grievance board.

All those questioned so far know four of the members of the clearance and zoning board—Maurice Schweitzer of Paramount and Clarence Hill of Columbia, distributor representatives, and Fred Wehrenberg and Clarence J. Kaimann, exhibitors. Wehrenberg has been reelected year after year as head of the M. P. T. O., and Kaimann is regarded as an outstanding figure in the northern section of St. Louis. Clarence Turley is not so well known. Neither is Harold W. Evens, but he has a wide circle of friends who think highly of him.

Say Objections to Spandau Impersonal

OMAHA, March 9.—Suggestions that J. J. Spandau, Universal branch manager here, be replaced on the local grievance board as an unaffiliated distributor representative, were not intended as criticism of Spandau's qualifications but were submitted with the intention of obtaining representation on the board for independent distributors, it was made clear here today.

Lester F. Martin and Calvin Bard, exhibitor representatives, authored the suggestion, advocating an appointee from either Majestic, Capital or Mid-West film exchanges to replace Spandau. No other dissatisfaction over Spandau's appointment has been voiced.

Detroit Pickets Upheld

DETROIT, March 9.—Pickets for Sign Writers' Union No. 591, forced a month ago to abandon picketing the James Robertson houses, the Cinderella and Roosevelt, which they charge with hiring non-union labor, won a victory in a decision handed down by Judge Arthur J. Tuttle in Federal Court.

Attorneys for the theatres obtained an injunction against the pickets while the suit was being heard. Attorneys for the union declared that making the injunction permanent would be contrary to the Anti-Labor Injunction Act of March, 1933. Judge Tuttle upheld the constitutionality of the act, dismissed the complaint and dissolved the temporary injunction.

Appeal Stays Injunction

Operation of Local 306's injunction against the I. T. O. A. has been stayed by the order handed down Tuesday by the Appellate Division of the Supreme Court allowing the organization to appeal in the Court of Appeals from a recent decision of Justice Collins calling for the return of 55 men dismissed in 11 local theatres. Milton Weisman, I. T. O. attorney, so states.

Albany

ALBANY, March 9.—H. C. HALLIGAN, representing affiliated national distributors on the Albany grievance board, strode the boards in his early days. He was once a performer in minstrels and in stock and later sang illustrated songs when pictures first came in. From that estate, Halligan graduated into exhibition with a house at Green Island, happened to call it "The Daisy" and thereafter received that everlasting nickname. He was with Universal for five years in charge of the poster department, later was made manager when Albany was a sub-branch and figured in the inception of the Hoy system out of which grew the Film Boards of Trade. Halligan was first local president of the Film Board when the Hays organization took it over and extended the system. For four additional years, he was a booker for "U" and finally left the company to open an exchange for Columbia in this city. He remained there for one year and then shifted to RKO as salesman. This was on July 1, 1929. In November of that year, he was made manager and has so continued.

CHARLES N. JOHNSTON, representing unaffiliated distributors on grievances, is a Buffalonian, born and raised. He has been in show business practically all of his life and, as a boy and young man, filled the job of treasurer of the Teck in that city. The Shuberts ran the theatre which played "legit" attractions. This post kept Johnston busy for a couple of years when pictures became the vogue, he became manager of the Little Bijou Dream which he believes was one of the first film theatres in that city. Came a period when he worked as manager in a number of other Buffalo theatres and a salesman's job with Mutual in 1918 during which he sold the Chaplin two-reelers. In 1918, Johnston joined Fox as a salesman and became a manager two years later. From 1920 to 1922, he was a salesman for Paramount in the city on Lake Erie's shores and then reverted to exhibition for the following two years. From 1925 to 1927 he was with Columbia as Buffalo city salesman. He was promoted and transferred to Albany as branch manager in 1930. In that post since and no changes.

NATE SAUBER, representing unaffiliated distributors on clearance and zoning, is 35 years old less a handful of days. He was born in Syracuse on March 31, 1899, and was educated in grammar schools there and in Washington and in the Tech High School, Buffalo. He broke into the business in Buffalo 17 years ago as a shipper for Mutual and the following year joined K.E.S.E. there as booker and shipper. In 1919, he joined Goldwyn in Washington, again as a shipper and served as booker and salesmen at the time Goldwyn was absorbed by Metro. He then joined Universal in the same city. This was in 1923. After four years as a member of the selling crew, Sauber was made Universal manager in Washington. He resigned in 1930 and rejoined the company six months later in Cleveland as a salesman. After four months in the Ohio territory came a shift back to Washington in a similar capacity. On June 1, 1932, he was made manager in Albany, his current post.

Who? What? When?

Fifteenth instalment in a biographical series on the men who make up the code boards.

LOUIS LAZAR, representing affiliated exhibitors on grievances, was born, raised and educated in New York City. He moved to Chicago in 1908 and from that period to the outbreak of the war made a special study of factory management and filled posts with various companies in that section as production superintendent and factory manager. When the United States entered the European fracas, Lazar received a first lieutenant's commission, served overseas in 14 major engagements and was discharged with the rank of major of infantry. Following his return to peaceful pursuits, he joined B. & K. as assistant manager of the Chicago and later became its manager. Then he managed a number of big, de luxe operations in the East for Publix and subsequently was transferred to the home office, supervising the de luxers in the East until March, 1929, when he resigned to join Warners in charge of Philadelphia first runs and their state productions. When the big Warner house on the Atlantic City boardwalk was ready, Lazar was tranferred to open it. Then he managed the Jersey division, and since March, 1930, has been in charge of the circuit's activities in Upper New York. He has all Warner houses in the state, except those in New York City. There are 10, seating 14,960: Albany (650 seats), Madison (1,400), Ritz (1,134) and Strand (1,943) in Albany; American (700), Lincoln (700) and Troy (1,980) in Troy; Avon (1,662), Utica (2,000) and Stanley (2,800) in Utica.

ABE STONE, representing unaffiliated exhibitors on grievances, has been a showman since 1906 and during that period has run the gamut of jobs from operator up the line to manager. Stone has been in business for himself since 1920, formerly operating theatres in Schenectady and Albany, but now confining his activities to the Eagle (700 seats) here in Albany. He is president of the Allied Theatre Owners of New York, Inc., an affiliate of national Allied.

SHEPHERD Z. BAUM, impartial member on grievances, is a well-known Albany attorney.

RALPH PIELOW, representing affiliated national distributors on clearance and zoning, has been in the business for about 18 years, having gotten under way as a salesman for General Film in the Pittsburgh territory early in 1916. He became an M-G-M salesman on Feb. 27, 1929, a special sales representative for the company on July 7, 1928, and a branch manager, his current post, on Nov. 4 of the same year.

CHARLES W. KOERNER, representing affiliated first runs on clearance and zoning, had no business experience prior to his entry into show business, but that goes back quite a time. It was in 1914 that he made his picture debut as an independent exhibitor in the Northwest. There followed an association in 1919 with Jensen and Von Herberg and six years with First National in charge of distribution in Portland and Butte. In 1925, Koerner became part owner and general manager of the George Mann circuit in northern California, an independent group of approximately 20 theatres. The chain subsequently was sold to Hughes-Franklin Theatres in 1931, whereupon Koerner continued with Harold B. Franklin as personal representative. In the last couple of years he has been handling RKO houses in the Southwest. Now he is the boss of the upstate New York and New England divisions under Leslie Thompson and Nate Blumberg. RKO is pooled here with Chris Buckley. That arrangement includes the Harmanus Bleecker Hall (2,000 seats), Leland (1,200), RKO Palace (3,825) and RKO Proctor's (1,604), with Buckley as the operator. Under the title of the RKO Theatre Corp. Koerner has the Albany (900), Erie (1,500), RKO Plaza (2,314), RKO Proctor's (2,738), State (1,800), Strand (1,400) and Van Curler (350), in Schenectady; Griswold (1,120) and RKO Proctor's (2,488), in Troy In New England he has the Keit (3,600 seats) and Bijou Drea (1,021) in Boston, and Keith (1,697) in Lowell. In Maine: Keit (1,600), Portland. In Rhode Island Albee (2,314) and Victory (1,619 in Providence.

WILLIAM BENTON, representing u affiliated first runs on clearance an zoning, has been active in upp New York exhibition for years and very well known. He makes his hea quarters in Saratoga, where he o erates the 975 seat Congress, but al has these houses: Capital (500 seats in Ballston; Majestic (740) and Rialt (500) in Cohoes; State (1,000) Mechanicsville; Strand (100) Plattsburgh, and Capital (750) Whitehall.

CHARLES F. WILSON, representin unaffiliated subsequent runs on clea ance and zoning, operates the Bijo a 400-seat theatre, in Troy. He is member of Allied Theatre Owners New York, Inc.

FRED W. MAUSERT, second exhi itor representing unaffiliated subs quent runs on clearance and zoning, a native of Albany where he was bo 48 years ago. He became an exhib tor in 1913 when he and a partn purchased the Park, Glens Fal The enterprise met with such succe that seven years later Mause became associated with the Rialto that city in a building which h housed the World-in-Motion. T latter theatre was on the second flo and had no gallery, but after alte ations were completed and the nam changed to the Rialto, the theatre w one of the most modern in northe New York and with a larger seati capacity than the Park was able accommodate larger crowds. By t time Mausert was strongly establish in the business and had made ma friends. In fact, residents of the c say that one of the factors contributi to his success is his habit of meeti his patrons. He is generally to found in the lobby greeting young a old and calling most of them by th first names. In 1925 Mausert retir from the Rialto and, when the Fi Presbyterian Church decided to bu in a new location, purchased t church which was being vacated a remodelled it into the State. La he added to his holdings until n he owns property on three streets Warren, Church and Berry—in t heart of the city, and is reputed be one of the largest individual ta payers in town. His property co prises nearly an acre. Mausert is Rotarian, an Elk, a Mason and member of other organizations as w and is one of the best known reside of the town. The State has a seati capacity of about 1,000.

JUDGE DAVID WANGER is impart member on clearance and zoning.

Dickson a State Senator; Haney an Active Democrat

Who are the impartial members on the Portland code boards? These thumbnail sketches supply the answer:

JUDGE ASHBY C. DICKSON, impartial member on grievances, is 50 and was born at La Garta, Texas. Following his graduation from the law school of the University of Oregon, he formed a partnership with Ex-Governor Walter M. Pierce. For 19 months he was a circuit judge and at present is state senator from Multnomah County.

Dickson has always been an ardent Democrat and continues to use as his slogan "Ideals and Democracy of Woodrow Wilson and Government." He has two hobbies—films and walking.

BERT E. HANEY, impartial member on clearance and zoning, is 53 and was born in Yamhill County, Oregon, of the fourth generation of Oregon pioneers. His college education was gained at Willamette University; later he graduated from the University of Oregon law school. He has been practicing in Oregon since 1903, and is noted for his conspicuous success, character and integrity. For some four years Haney was district attorney of Multnomah County. He was United States attorney for Oregon during the second Wilson Administration. He was chairman of the Democratic State Central Committee 1910-1915, and for several years past has been a prominent member of the Portland Port Commission.

K.C. May Get NRA Boa

KANSAS CITY, March 9.—Kan City may get a branch of the Misso state NRA compliance board, whi has established headquarters in Louis. The board is to serve as appeal body and will handle dispu which individual industry code co mittees are unable to settle. It is f a Kansas City office will facili code compliance machinery.

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Code Revision Hearing Looked for During May

Look for Code Boards to Get Going April 1

Details to Be Cleared Within Two Weeks

Clearance and zoning and grievance boards are expected to get started by April 1, Code Authority states. With personnel of at least eight of 10 boards expected to be announced today, all that remains is the naming of secretaries and approval of the rules manual. Personnel of the boards will make suggestions for secretaries within the next two weeks and the authority will probably name them by April 1.

All boards will not start functioning simultaneously. Some already have had impartial members named. Others will have them appointed by Division Administrator Sol A. Rosenblatt today. Still others will be delegated later. Adoption of the budget and provision of finances may hold

(Continued on page 3)

Country's Leaders Invited by MPTOA

Administrator Hugh S. Johnson, Postmaster General James A. Farley, Frank Walker, executive secretary of the President's Recovery Council, and Division Administrator Sol A. Rosenblatt are among the public officials who have been invited to attend the M.P.T.O.A. Hollywood convention, April 10, 11 and 12.

Others who have been invited are Senator William G. McAdoo and Senator Hiram Johnson of California, and Mayor Rossi of San Francisco. Will Rogers has been asked to preside as toastmaster at the convention banquet.

No Arbitration Yet In Milwaukee Fight

MILWAUKEE, March 11.—Efforts of Harry Bragarnick, unaffiliated arbitrator, to effect a reconciliation between exhibitors and members of the Ushers', cashiers' and doormen's union

(Continued on page 6)

M. P. Club's Roster Over the 200 Mark

New membership in the M. P. Club passed the 200 mark Saturday with the approval of applications bringing the total to 204 members. The initial membership list in the re-

(Continued on page 6)

Trio of Board Nominees Stir Up Opposition

Charles C. Moskowitz, of Loew's; Harry Brandt, president of the I. T. O. A., and Lee Ochs, independent circuit operator, may find the local clearance and zoning and grievance boards setup without their names on either of them.

Opposition to the three men has been presented to various members of the selection committee. Whether the men will be placed on the boards may be decided this morning when the committee goes into session to name the remaining 10 boards, including Boston, San Francisco, Philadelphia and Washington.

Protests against Moskowitz are said to have such a bearing on the Loew executive that the committee may have to call on a Publix man, possibly Boris Morros, to represent local circuits. Objections to Ochs have also

(Continued on page 3)

Nova Scotia Film Stir Busies Cooper

TORONTO, March 11.—A religious uprising against films in Nova Scotia has caused Colonel John A. Cooper of the M. P. Distributors' Ass'n. to depart for Halifax where he will spend a week discussing complaints with clergy and church organizations who have assailed film standards and have demanded that the government prohibit admission of juveniles to all theatres.

Smaller Spots Pick Up Near Cincinnati

CINCINNATI, March 11.—Smaller situations through this territory are beginning to show definite signs of returning prosperity. Many silent

(Continued on page 3)

Theatres Reopening In Southern Towns

MEMPHIS, March 11.—Theatres in this territory are reopening and re-equipping so rapidly that local film

(Continued on page 3)

Who? What? When?

Sixteenth instalment of the biographies of the men who make up the code boards will appear in an early issue.

Jersey Code Bills Facing Senate Fight

TRENTON, March 11.—Considerable opposition has formed in the Senate to the legislation strengthening the State Recovery Administration codes, which carry the possibilities of heavy assessments for exhibitors and other theatrical interests. The bills are slated for final action in the Senate tomorrow night unless the opposition succeeds in blocking them.

Under the legislation, state and national assessment costs are possible, thus levying a heavy administration burden for theatres. Efforts were made in the Assembly to amend the

(Continued on page 3)

K. C. Watches Test Case on a Premium

KANSAS CITY, March 11.—Because similar tieups with merchants are frequent in this territory, exhibitors are keenly interested in the outcome of a test case in which the U. S. Government is prosecuting Rufus H. Limpp, operator of a filling station at King City, Mo., for giving theatre tickets with the sale of gasoline and oil.

Limpp is under indictment by the Federal Grand Jury on a charge of violating the NRA fair practice code

(Continued on page 3)

Gary Council Names Amusement Board

GARY, March 11.—The City Council has passed an ordinance for the control of amusements by a board of three members which, in addition to carrying out the enforcement of amusement ordinances, will also inspect all films not approved by the National Board of Review. Members of the board serve two years without

(Continued on page 6)

Shifts in Board Setups Said to Be Among New Proposals

Reopening of the code for general public hearings and possible changes is understood slated to take place in Washington around the middle of May. During a gathering of all Code Authorities held in the capital last week, no phase of the picture industry was touched upon, although Executive Secretary John C. Flinn submitted a report and briefs were filed by the Hays organization and Allied.

When the public hearings are held, it is understood several changes in the setups of clearance and zoning and grievance boards will be sought. One of the changes sought by independent groups is an increase in the combined memberships of boards in each zone from 10 to 12.

All independent exhibitor organi-

(Continued on page 3)

About 90% of Code Forms in Saturday

Approximately 90 per cent of the total assents expected were received by Code Authority by Saturday. The deadline for postmarked compliances was Saturday at midnight and more assents from all parts of the country are expected to dribble in this week. More than 9,000 signatures of approval were on hand and this represents practically all competitive spots. Non-competitive exhibitors are not expected to send in assents, inasmuch as it is felt they have no zoning problems or grievances which would necessitate calling upon Code Authority for assistance.

According to latest estimates, there are between 13,000 and 14,000 theatres

(Continued on page 3)

Censor Board Under Attack in Portland

PORTLAND, March 11.—After a number of years of turmoil both within and without the ranks of the censor board, indications now point to its abolition. The board was created as an advisory body for the council some dozen years ago and was also given powers of its own.

The board includes five members. Two are named by the City Council, one by first run houses and one by

(Continued on page 6)

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Buffalo's Variety Club Is About Set

BUFFALO, March 11.—The charter of the Buffalo Variety Club will be closed at a dinner meeting tomorrow evening, when a slate of officers and directors will be submitted by the organization committee and elected. Membership will be limited to 75. Dave Miller, manager of the Buffalo Universal exchange and president of the Buffalo Film Board of Trade, is chairman of the organization committee. Applications for membership have been received from prospective barkers as far distant as Elmira.

Columbia Party Draws

Columbians and their friends turned out more than a thousand strong for their annual party Saturday night at the Waldorf Astoria, and the dancing, interrupted by a long series af acts, continued well on into the morning. Music was furnished by Ozzie Nelson and his band. Harry Hershfield, Julius Tannen and Milton Berle shared honors as toastmasters.

Lux Succeeds Holden

Elmer Lux replaces James Holden as manager of the Buffalo First Division exchange. Holden's resignation becomes effective today with Lux taking over the new assignment immediately.

Rogers Silent on Plans

HOLLYWOOD, March 11.—Charles R. Rogers refuses to reveal his new distribution plans. He says he will make an announcement at the spring convention of his new distributor.

Insiders' Outlook

DELAY in naming the Philadelphia grievance and clearance and zoning boards, the last to be settled by Code Authority, resulted from circumstances—some amusing—which produced four complete and separate slates of nominees for the two boards. The first was presented by Harold Bareford, alternate for Harry M. Warner, and was unsatisfactory to John D. Clark, Sidney Kent's alternate. Clark thereupon submitted his own list of nominees. There was a division of opinion on this slate as well and, in an effort to break the distributors' threatened deadlock, Ed Kuykendall, exhibitor representative, submitted a slate which had the approval of a majority of exhibitors in the Philadelphia territory. . . .

▼

This slate, however, was objected to by Nathan Yamins and Charles L. O'Reilly, also exhibitor representatives. Yamins brought in his own list of recommendations, and this, too, met with objections. After weeks of mulling over the four slates, agreements were reached on all but two nominees. One was objected to for a place on the grievance board because of an outside activity in connection with a premium concern, and the other because of his policy of offering a number of separate amusement programs for a single admission at his seashore resort enterprise. And so into all the days to come. . . .

▼

Warners are grim about the St. Louis situation. Say they: the equity in the Missouri, Ambassador and Grand Central runs into millions, maybe five of them; it stands a swell chance of being wiped out under the F. & M.-Koplar arranged deal. Behind the lease on the Shubert Rialto is a determination to fight through on all of this business, which explains why, aside from their own film, the Warners have swung their national buying power into play with another major line heading into their camp, if not in it already. With the Fox and St. Louis doubling already, Warner sympathizers say F. & M. are destined to run shy of pictures for the about-to-be-annexed three theatres. Nice fun, if someone isn't burnt. . . .

▼

The directorial touch which is Frank Borzage's is all over "No Greater Glory" at one time. A yarn about a bunch of kids, inculcated war spirit, what happens thereafter and all beautifully told. It's the sort of thing that hammers hard at your heart-strings and stays with you after the final fade-out has had its say. Away out in front is George Breakstone, a youngster who is a miniature Sterling Holloway in appearance. It is George's first performance and a remarkable one. Those who have almost all to say about bookings at the Music Hall are in doubts about giving the picture a date. Why, isn't clear. "No Greater Glory" is far ahead of many attractions which have played there minus, as it is, love interest, Busby Berkeley dance formations and sex panting for expression. . . .

▼

The break between Charlie Rogers and Paramount has come finally. You can't dub it a surprise; been cooking too long. Surprising, however, it would be to learn he has gone over to a major company which, for years now, has taken on no outside pictures. This is the cue to do your own figuring. . . . A certain executive is on the hot seat and finds the contact a trifle uncomfortable. His operating technique, sayeth the grapevine, has caused considerable resentment in important quarters. . . . Germany has its anti-Semites who would nationalize the drama by excluding the worthwhile "Catherine, the Great" because Elizabeth Bergner happens to be Jewish. America has its Representative Dickstein who would keep out of the country foreign artists because American hams need jobs. The scales of justice, eh! . . .

KANN

Pathe "A" Down ¾ on Big Board

	High	Low	Close	Net Change	Sales
Consolidated Film Industries	4⅞	4⅞	4⅞	+ ⅜	300
Consolidated Film Industries, pfd	16⅛	16⅛	16⅛	— ⅛	100
Eastman Kodak	89	89	89	.....	200
Fox Film "A"	14⅞	14⅞	14⅞	+ ⅛	100
Loew's Inc	32⅛	31⅜	32	+ ½	1,500
Paramount, cts	5	4⅞	4⅞	.....	100
Pathe Exchange	3⅝	3½	3⅝	.....	700
Pathe Exchange "A"	19¼	19	19	— ¾	100
RKO	3⅝	3½	3⅝	+ ⅛	100

Loew and Warner Bonds Gain ½

	High	Low	Close	Net Change	Sales
Loew's 6s '41, ww deb rights	96	96	96	+ ½	4
Paramount Publix 5½s '50	45½	45½	45½	.....	2
Warner Bros. 6s '39, wd	55½	55½	55½	+ ½	3



Code Revision Hearing for May Expected

(Continued from page 1)

ations will be asked to be represented t the reopening of the code sessions o that they can present opinions and uggestions for alterations.

WASHINGTON, March 11.—Although ublic hearings probably will be held hen the code is reopened to provide or changes now under consideration y the Code Authority, no considera- ion has yet been given the matter, it as stated at the NRA.

So far as could be learned, no wide- pread revision of the code is being onsidered, nor would such action be ndertaken, it was indicated, until a nger period of actual operation nder the agreement has elapsed and xperience discloses a definite need r rewriting.

About 90% of Code Forms in Saturday

(Continued from page 1)

ow in operation. In situations where ubsidiaries or theatre companies are receivership or bankruptcy, assents ave been delayed because trustees nd receivers must secure court pproval for compliance forms.

Theatres Reopening In Southern Towns

(Continued from page 1)

pply houses are having difficulty in pplying their demands.

Arthur de Stefano of National The- re Supply Co. reports at least 20 w houses opened in recent months Mississippi, Arkansas and Tennes- e, and a like number installing new uipment.

"The past four months have shown a business more than 60 per cent tter than the same months a year o," he said. "Business is better an it has been in several years."

Among the theatres re-opening are ny old silent houses, shuttered since talkies first came into importance. ne of these, the Amusu, at Mead- le, Miss., was leased only last week the McGehee brothers of Bude, ss., and was reopened with com- te new sound equipment.

Smaller Spots Pick Up Near Cincinnati

(Continued from page 1)

ises are either being wired and re- ned, or are obtaining figures on nd installation.

Conditions throughout the West rginia coal region are reported as omising. Coal miners who have n paid in scrip since 1929, redeem- e at the company's commissary, now receiving actual money, and are ting it into circulation for amuse- nts as well as commodities.

Report 13 Open in Ohio

CINCINNATI, March 11. — There e been 13 houses reopened in the ncinnati trade territory this year, ording to the Film Board of Trade.

Looking 'Em Over

"No More Women"

(Charles R. Rogers Prod.-Paramount)

In which the Quirt-Flagg business launched in "What Price Glory?" and kept going, naturally and otherwise, since, continues. This time, the rowdy tactics of Victor McLaglen and Edmund Lowe take place above and below water.

Both of them are deep sea divers, working for a salvage ship. They are rivals again, professionally and amorously as well with complications a la rough house that reach out for and get a number of laughs. Under the waves, they battle it out for sunken gold. Above them, they battle for warm lips and quivering hips. The gold hunt brings better results.

Acting is just about what might be expected on the basis of earlier pictures in the McLaglen-Lowe series. The former yells and makes plenty of noise; the latter smirks and drops wisecracks loaded with double meanings. Sally Blane and Minna Gombel are the women in the case.

"No More Women" aims at the region where the belly laughs begin and stays in that general neighborhood all the way.

KANN

"No Funny Business"

(F. P. I., British-Frank D. Ferrone)

This is poorer than average entertainment in spite of a story that has excellent possibilities as sophisticated comedy and in spite of its handsome settings and good photography. The fault lies with a clumsy adaptation of a clever idea and with inexpert direction. The results are amateurish.

Situations that might have been made to click in highly entertaining fashion fall flat. Poor sound recording is aggravated further by the accents of the English cast, and result in making a large portion of the dialogue unintelligible. Two good song numbers, "No Funny Business" and "Just One Kiss," are introduced for no other apparent reason than the determination to have them sung. They succeed in further retarding a slow-paced picture.

The cast features Gertrude Lawrence, Jill Esmond, Laurence Olivier and Edmund Brion. Miss Lawrence and Brion, husband and wife, attempt to patch up a rift in their otherwise happy marriage by hiring co-respondents with whom each plans to be seen by the other at a Cannes hotel. Jealousy resulting from this situation is expected to effect the reconciliation. A mix-up occurs, however, and Miss Lawrence and Brion end up in the same hotel suite together, while the co-respondents, Miss Esmond and Olivier, mistake each other for the unhappy husband and wife and also end up in the same suite. The result is not only the desired reconciliation of husband and wife but the start of a romance between the two co-respondents as well.

Look for Boards To Get Going Apr. 1

(Continued from page 1)

up the actual functioning of the boards, however.

Most boards will be set up in film center buildings. The New York boards will most likely be set up in the Film Center building. Locations from all cities are already in hand and awaiting approval by the authority.

Up for discussion today by the authority are: Unfair radio competition with free shows, a report on the vaudeville situation, naming of the 10 local boards in addition to replacements for men resigned, approval of the fire prevention manual, finances and budget. W. Ray Johnston will preside and J. J. Unger will act as temporary alternate for George Schaefer. The rules and regulations for the boards will be discussed but are not expected to be approved today.

Marquis Busby Dead

LOS ANGELES, March 11.—Marquis Busby, film critic, is dead here from scarlet fever. He was 31.

Trio of Nominees Stir Up Opposition

(Continued from page 1)

caused the committee to give his name further study.

Brandt is said to have against him an alleged breach in the code. This is reported to be a distribution of passes reputedly under the guise of an advertising courtesy which tended to reduce prices. This was ordered stopped by Division Administrator Sol A. Rosenblatt. Brandt says he carried out the order.

While it is hoped the 10 men for this territory will be named today, doubt exists in some quarters. The committee was to have met last Friday to mull over the names and carry over until Saturday if necessary. The meetings were not held, but, instead, will take place this morning prior to the general Code Authority session this afternoon.

"Hollywood Party" Set

HOLLYWOOD, March 11.—After a series of title changes on "Hollywood Party," M-G-M has finally decided to call it "A Hollywood Party."

Jersey Code Bills Facing Senate Fight

(Continued from page 1)

bill removing the dual assessment feature, but it was not successful.

Senator Joseph G. Wolber, sponsor of the original state recovery act, will move the new code bills, Assembly 15 and 16, in the Senate as they originated in Essex County. Reports are Senator Wolber will insist on an amendment eliminating possibility of dual assessments. He also is concerned over a check on price fixing, which appears unlimited in the act at present.

Although the bills have been reported from committee, Senate Majority Leader William H. Albright of Gloucester County is known to be opposed to them. Senator Albert C. Woodruff of Camden also is opposed. Belief is efforts may be made to recommit the bills, a move that would eventually sidetrack them for the session.

Other opponents of the program believe the solution is to defeat Assembly 16, the $28,000 appropriation bill for the state recovery administration. By cutting off the funds, these legislators would nullify the regulatory work. A strong factor in the opposition is word from Washington that state codes are an impediment to the Federal NRA program. Federal authorities would prefer enactment of a model act providing state enforcement of the Federal codes for purely intra-state business.

The billboard legislation, Senate 98 and Assembly 316, is not scheduled for action this week. The measures would increase the state tax on billboards and result in higher rates for theatrical advertising. Opposition of the theatrical business has been made known to the lawmakers.

K. C. Watches Test Case on a Premium

(Continued from page 1)

for the petroleum industry, which bans premiums and special inducements. The indictment is a direct result of his giving as a premium, with the sale of $5.72 in gasoline and oil to a customer, a ticket to the Lucille Theatre at King City, operated by H. Danbury.

The theatre received the actual price of the tickets given out. The theatre owner is not involved in the case, which, it is understood, was ordered by Attorney General Cummings as a test of the petroleum code.

IMPPA to Fete MPTOA

HOLLYWOOD, March 11.—The I.M.P.P.A. is laying plans to fete the M.P.T.O.A. conventioneers at a wild west show and barbecue. Trem Carr has appointed Sam Wolf, I. E. Chadwick and Ken Goldsmith a committee on arrangements.

Operator Hearing Put Off

Hearing before the Board of Aldermen on a bill which would provide for an operator for each piece of machinery in projection booths has been postponed for two weeks.

Universal gives you another great love story by the writer of "Show Boat" and a dozen other successes . . . Prepare for a BIG one in this story of a woman who loved two men—but who loved glamour even more!

Edna Ferber's



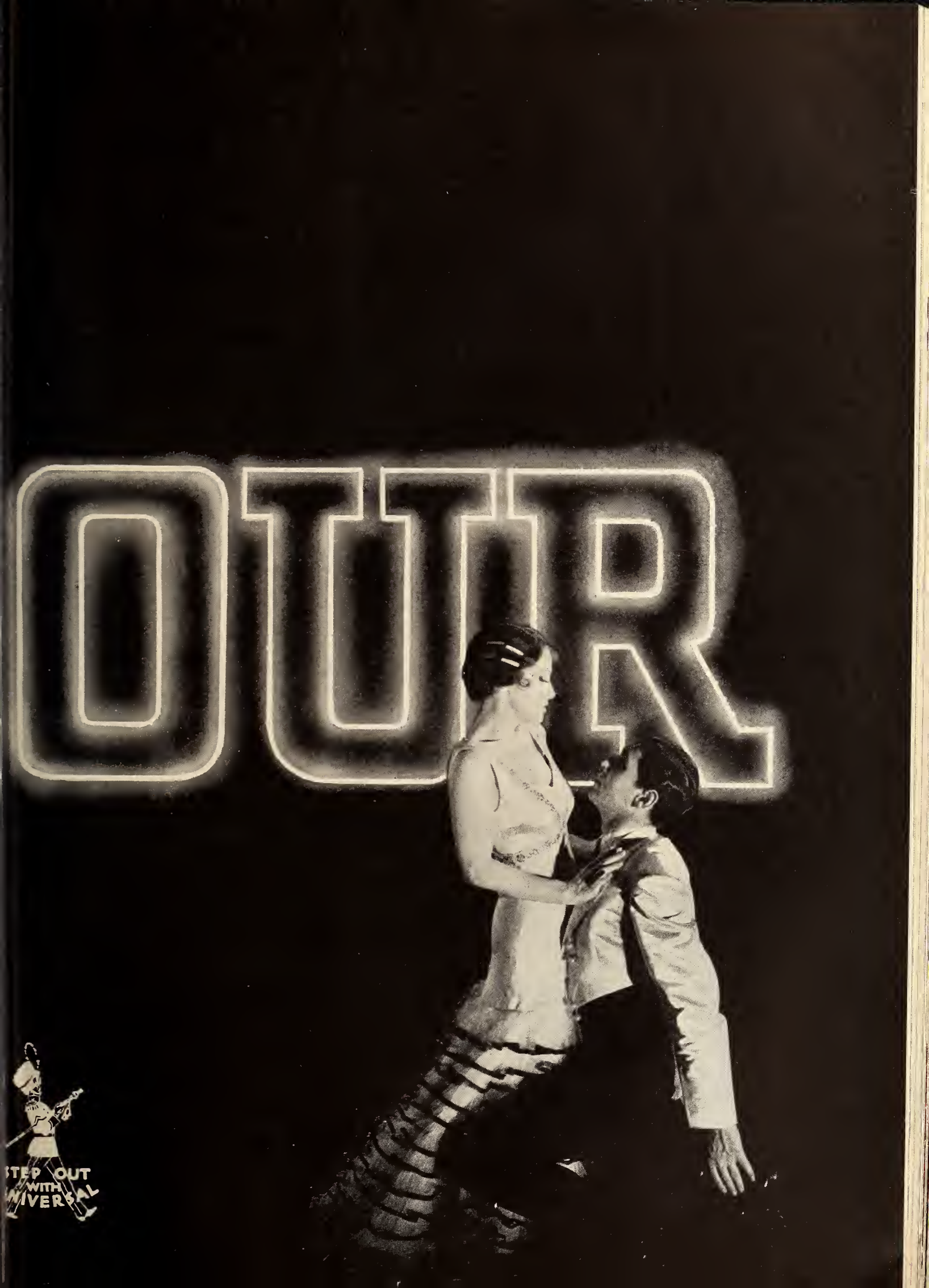
With CONSTANCE

CUMMINGS

PAUL LUKAS

Philip Reed, Joseph Cawthorn, Doris Lloyd, Alice Lake and many others. Directed by WILLIAM WYLER. Presented by Carl Laemmle.

A B. F. ZEIDMAN PRODUCTION.


OUR
STEP OUT
WITH
UNIVERSAL

Purely Personal

CLAUDE PARKER, former Buffalo exhibitor and now owner of a 100-acre island in Chesapeake Bay, is tempting GEORGE MEAD, general manager of Standard Ticket Register, with a fishing invitation. MEAD expects to accept before he departs for Europe next month.

AGNES DE MILLE, daughter of WILLIAM C., who has been dancing on the London stage, arrives in New York tomorrow aboard the *Paris* on her way to the coast to make her screen debut in "Cleopatra," which her uncle, CECIL B., is producing.

BEN and JACK GREENBERG, who operate the Congress, Bronx, have opened a liquor store adjacent the theatre. If the picture business goes bad, the brothers can depend on the over-the-counter customers.

HARRY BUXBAUM says PHIL REISMAN may have brought back a bottle of 1811 cognac but that the bottle was empty by the time PHIL had reached these shores.

MOE STREIMER, local U. A. manager, is limping as a result of an accident at Utica last week. STREIMER slipped on the ice as he was entering a cab.

JACK COHN plans a week or 10 days away from pictures. Wants to sleep and golf and figures on getting going Saturday.

S. A. LYNCH is recovering rapidly from his recent illness and is expected back from Florida in about 10 days or two weeks.

STANLEY NEAL and MISS L. POULTER, British producers and representatives of M-G-M in London, have arrived at the Warwick.

W. RAY JOHNSTON, who has been in Atlantic City on matters pertaining to the Monogram convention next month, returns to his office today.

GEORGE SCHAEFER and SAM DEMBOW, JR., are scheduled to be back at their desks today from Florida vacations.

DR. JULIUS KLEIN, advisor to Paramount Publix bondholders' protective committees, is vacationing in Florida.

DAMON RUNYON'S *Collier's* story, "Princess O'Hara," has been purchased by CARL LAEMMLE, JR.

CHESTER MORRIS, who has been here acting in "Frankie and Johnnie," returned to Hollywood Saturday.

HOWARD S. CULLMAN is due back from Bermuda today, when his vacation ends.

HARRY GOLD expects to leave on another tour of U. A. exchanges within the next few days.



CHARLES S. BELDEN'S story, "Fifteen Wives," has been sold to Invincible.

HAL FORREST'S comic strip, "Tailspin Tommy," has been sold to Universal.

PANDRO BERMAN has closed a deal for the screen rights to Walter Hackett's play, "Afterwards."

CHARLES MARSHALL'S "In the Clouds" has been bought by Radio.

SAM SONIN is ill and confined to his home these days.

WILLARD MCKAY, Universal legal representative, is vacationing at Miami.

WILL H. HAYS is expected back from Florida late today or tomorrow.

Gary Council Names Amusement Board

(*Continued from page* 1)

pay and may not hold any other public office.

New city ordinances prohibit fan or skirt dances and dances for which transparent clothing is worn. Performances advertised "for men only" or "for women only" are banned unless approved by the Board of Health as "scientific education." Endurance contests, defined as any lasting more than 12 hours, are prohibited unless approved by the council's new amusement board. Penalty for violations is a fine of not less than $25 or more than $200.

The ordinances are expected to curb walkathons and marathons and eliminate beer gardens and pool halls as places of theatrical presentations.

M. P. Club's Roster Over the 200 Mark

(*Continued from page* 1)

organized club includes virtually every ranking executive in the industry, according to directors of the club.

Following the reorganization period a substantial initiation fee is to be levied. At present, dues are fixed at $75 per year and no initiation fee is in force.

"No Ransom" New Title

HOLLYWOOD, March 11.—The title of M. H. Hoffman's "The Quitter," top-spotting Jack La Rue, Leila Hyams and Phillips Holmes, has been changed to "No Ransom." The story is an adaptation of Damon Runyon's "The Big Mitten."

Set More "Goofy Movies"

HOLLYWOOD, March 11.—M-G-M will produce a third series of two-reel shorts titled "Goofy Movies" with explanatory remarks by Pete Smith. Jack Cunningham will supervise.

"Scandals" Opens Mar. 20

PHILADELPHIA, March 11.—"George White's Scandals" will play here as a roadshow, reopening the Locust Street under A. R. Boyd's direction on March 20.

M-G-M Signs J. M. Cain

HOLLYWOOD, March 11.—James M. Cain, author of "The Postman Always Rings Twice," has been signed by M-G-M to do the adaptation. Jeanette MacDonald will be featured.

No Arbitration Yet In Milwaukee Fight

(*Continued from page* 1)

and prevent closing of all local theatres March 15 have proved unavailing.

Fred S. Meyer, president of the M.P.T.O. of Wisconsin and Upper Michigan, Inc., issued the following statement in connection with the strike: "For the first time in theatre history here, all theatre owners and operators have joined together collectively to iron out the question of 'what is wrong with the theatre business.' We have agreed that the big trouble is outside interference in conducting our business and the ushers' strike is but a minor matter in this controversy."

A shutdown of local theatres would cut off $8,000 weekly in salaries to operators alone, it was stated. Ushers and doormen who are seeking an increase from the 25 cents an hour for a 40-hour week continue to picket the Warner and Wisconsin theatres here.

Censor Board Under Attack in Portland

(*Continued from page* 1)

the second runs. These four name fifth. The board also has 30 viewers

Exhibitors may refuse to accept verdict of the board. The council then sees the pictures and makes its own decisions. In practice the system is claimed to have made a mess of things. Where an important picture is at stake exhibitors appeal. The discussion serves to advertise the picture. When the issue is unimportant the board's decisions often become factional.

Cummings to Travel

HOLLYWOOD, March 11.—Upon completion of her role in Universal's "Glamour," Constance Cummings and her husband, Benn W. Levy, will leave for New York and will sail for England. She will appear in a stage production in London. Levy will write for Alexander Korda.

Para., Toledo, to Platt

TOLEDO, March 11.—The Paramount, a B. & K. operation, hereafter will be under divisional supervision of Nate Platt, whose jurisdiction will extend to the Orient Chicago, and the Royal and Newman Kansas City. Platt formerly was supervisor in the Detroit sector.

Writers' Split Widens

HOLLYWOOD, March 11.—The split in the Writers' Guild is growing wider daily, with liberal and conservative factions lining up members present opposition tickets for officers and revision of by-laws at an early election.

Fox Changes a Title

HOLLYWOOD, March 11.—"Change Heart" is the latest title for the new Gaynor-Farrell picture from Fox. had been announced as "The World Ours."



Smoke in His Eyes... but it doesn't blind this exhibitor to the fact that he owes it to himself and his business future to go to the MPTOA Convention in April. « He realizes it is important for him to discuss things with those who have the same problems as he has in these days of NRA and Industry Codes. « Yes, sir, he'll write MPTOA National Headquarters in New York for all the dope... and maybe he'll take the wife along. « She'll enjoy the social functions, too.

14th Annual
Convention
M·P·T·O·A
HOTEL AMBASSADOR
Los Angeles, Calif.
April 10, 11, 12



Fear of ghosts handicaps progress more than realities.

Lay the ghost of prejudice. There's no need for fear of the double feature bogey in the house that plays short subjects with big box-office names... one and two-reel ticket-selling attractions such as *Educational* is furnishing in its new era featurettes of 1934.

Educational Pictures

have brought you such big hit names from the stage, the screen and radio as Ernest Truex, Helen Morgan, Stoopnagle and Budd, Bob Hope and many others that shine bright on the marquee. Now they bring the triumphant return of Buster Keaton in a two-reel comedy masterpiece, "The Gold Ghost."

E. W. Hammons PRESENTS

Buster KEATON in "THE GOLD GHOST"

Directed by Charles Lamont

Educational Pictures
"THE SPICE OF THE PROGRAM"

Distributed in U. S. A.
by FOX Film Corporation

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

L. 35. NO. 59 NEW YORK, TUESDAY, MARCH 13, 1934 TEN CENTS

eny Friction ver Cuts By ansas Board

change Heads Decry Film "Strike" Talk

ANSAS CITY, March 12.—Denying any serious friction has occurred een distributors and the Kansas or board, representative exchange utives here say they know of no erted move by distributors to hold films from the state, thus pre- ating a general theatre "strike" rotest against the censors' dele- .

rther, it is said no knowledge ex- that Governor Landon has in- cted the state board to use scis- on scenes showing excessive use

(*Continued on page 3*)

eviews Starting Many Coast Triples

OLLYWOOD, March 12.—Competi- for previews is becoming so us among neighborhood exhibit- that a total of seven within the limits of Los Angeles are now ing and featuring triple bills. ators of the "triple" houses take attitude that if the larger neigh- oods are now running double bills with previews, they too must this competition by going triple o keep their customers.

G-M to Sell U. A. List in So. Africa

G-M and United Artists have d contracts whereby the former distribute in South Africa all of atter's product next season. The s were signed by Arthur Loew I-G-M and Arthur W. Kelly for . The deal includes Walt Disney cts.

Attenshun!

Cincinnati, March 12.—It's olonel James R. Grainger w. He arrived here a civil- n today and found a com- ission from Governor Ruby affoon awaiting him at the niversal exchange. Paul ieger, local manager, was blame.

The Sam Brown belt and tties will have to wait until gets back to the home wn tailor shop at Belle arbor, L. I.

28 Impartial Men Will Be Named Today

6 of Last 10 Boards Also To Be Announced

Impartial members for 28 clearance and zoning and grievance boards and the personnel of the San Francisco, Boston and Washington boards will be announced today by Code Authority. This will leave New York and Philadelphia set-ups as well as the Minneapolis impartial members to be approved at the next authority meeting, March 21, when George J. Schaefer will preside.

Complete boards including impartial representatives have been made public for Albany, Atlanta, Chicago, Cleveland, Milwaukee, Buffalo, Denver, Pittsburgh, Salt Lake City, Charlotte, Detroit, New Orleans and

(*Continued on page 3*)

Philadelphia Union And Warners Dicker

PHILADELPHIA, March 12.—New wage contract negotiations between Warner theatres here and Local 19,-190, Theatre Ushers and Doormen's Union, are scheduled for discussion here this week. Possibility of a general strike order being issued by the union in the event of a refusal by the circuit to negotiate a new contract was voiced by John J. Slavin, president of the local.

The new union, affiliated with the A. F. of L., claims 600 members in Warner theatres in this territory. The

(*Continued on page 3*)

Mascot to Make 20 Feature Productions

Mascot Pictures Corp. plans to go in for feature production in a big way during 1934-1935, it was said yesterday by Nat Levine, president. Twenty are scheduled. Included are eight

(*Continued on page 3*)

Who? What? When?

Sixteenth instalment of the biographies of the men who make up the code boards appears on page 6 today.

Los Angeles Getting Set For MPTOA

LOS ANGELES, March 12.—Both Los Angeles exhibitors and distributors have swung into action to lay plans for welcoming and entertaining visiting delegates to the forthcoming M.P.T.O.A. convention next month. Committees under the general chairmanship of Ben Berinstein have been appointed and work has already begun to make this one of the most pretentious exhibitor conventions yet to be held in this city.

Committees appointed are: General —B. N. Berinstein, chairman; R. D. Whitson, George F. Bromley, Arnold Shaak, H. W. Chotiner, George L. Hanes, Harry H. Hicks, Russell

(*Continued on page 7*)

Fox Lining Up Six Musicals Next Year

HOLLYWOOD, March 12.—Despite the impression that musicals would be reduced in number by major producers next season, Fox has six planned for the 1934-35 program.

These include: Winfield Sheehan's "Follies," now nearing completion; Jesse L. Lasky's "Red Heads on Parade"; "Gypsy Melody," starring Charles Bover; "Scram," starring Joe Cook; "Music in the Air," and a Harlack-Romberg all-star original.

St. Louis Protests On Any New Houses

ST. LOUIS, March 12.—Formal protest has been sent to H. M. Warner against any new theatre construction

(*Continued on page 3*)

Buying Co-op For New York Bruited About

Independent Men Talking About 300 Houses

Attempted several times before in local affairs and reminding of the cooperative fostered by Aaron Sapiro several years ago, Greater New York independents are discussing again the advisability of massing their buying power. The move is aimed at Loew's and RKO, the two most powerfully entrenched local circuits, but this time takes another angle as well.

While any such step would be construed by the majors as a move against the two big New York circuits, independents interested declare their primary interest is to be enabled to buy first run pictures which will take care of their needs. If,

(*Continued on page 3*)

Silent Film Rights Up in Coast Court

HOLLYWOOD, March 12.—Whether or not the purchase of a story for motion pictures before the era of sound entitles the buyer to produce the plot as a talking picture was a question that reached Superior Court here when Sol Lesser named Harold Bell Wright defendant in the case of

(*Continued on page 3*)

Vancouver Picture Concern Collapses

VANCOUVER, March 12.—With liabilities of $52,000 and negligible assets Commonwealth Productions, Ltd., film company which some months ago set up studios near Victoria, and there produced two pictures, has gone into bankruptcy. Among creditors is Kathleen Dunsmuir Humphreys, formerly of the London musical comedy

(*Continued on page 3*)

"David Harum" Big Draw Of Week in 3 Key Spots

"David Harum" was the big noise last week in some of the principal key centers. In Cleveland, Detroit and Indianapolis it took a total of $37,500, doubling and tripling averages.

"Spitfire" stirred up some excitement in Chicago with $27,000, and "Queen Christina" gave a good account of itself in Detroit. "It Happened One Night" continued to be outstanding, doing a fine business in De-

(*Continued on page 8*)

It's Oatmeal Now

Children will get their serials mixed.

After Julius Charnow, vice-president of Allied of N. J., took his six-year-old daughter to a show, he asked her what films she had seen.

She answered: "Take a Chance and oatmeal."

The oatmeal referred to was "The Perils of Pauline."

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Film Daily's Year Book Out for 1934

The 16th edition of the *Film Daily's* Year Book appeared yesterday, bound in dark green imitation leather and containing 1,056 pages of detailed information about all branches of the business. A new feature this year is a section devoted to "Birthdays and Birthplaces."

Code information is brought up to date. The code is printed in full, and in a section on legal decisions compiled by Herbert T. Silverberg, Buffalo attorney, some recent code angles are included.

Title lists up to date include 13,905 names of features from 1915 through 1933. The accomplishments of various talent divisions include directors, writers, adaptors, dialogue writers, editors, cameramen, recording engineers, dance directors and song writers. There is a mass of information on the new setup of theatre circuits, lists of publications, a section devoted to the 10 best pictures, information on the S.M.P.E., other organizations and the legitimate stage; important 1933 exploitation stunts, financial setups, lists of equipment dealers, and information about the foreign market.

Considerable color work has been used for some departments.—J. M. J.

12th WEEK ON BROADWAY

"Forgotten Men"

JEWEL PRODUCTIONS, 723-7th Ave., N. Y. C.

The Pay-Off

ALL things being relative, national circuit operators sit comfortably on their haunches patting their paunches these March days. For, just one year from date, the nation was passing through the unique experience of endeavoring to conduct its normal life with every bank in the country padlocked. What happened to theatre business is something nobody likes to look back on.

It becomes pleasant to report, therefore, that between last week, this week and next, these men whose daily reports tell them what's going on in box-offices declare business is up almost 40 per cent. You understand what this is: Forty per cent ahead of the same days of 1933. How much as compared with those misty days of 1929 might be a fair question. Only it is not because those who look for a return of that mad era for some time to come are few; also far between.

Viewed nationally, all grosses are up somewhere between 12 and 15 per cent today by comparison with the identical period of last year. Those receipts have some distance yet to go before "the good old days" are to be mentioned with the days under the New Deal. The fact that there is an increase at all, however, is not to be thrown over the shoulder. You'd be surprised at the number, and the importance as well, of important film executives who are humble now and thankful for small favors.

▼

WHAT is solid opinion throughout the country talking about? Here in New York and certainly in Hollywood there is apt to be too much self-complacency, too much self-satisfaction in affairs celluloid and much too little concern over what important factors in molding public opinion reflect and talk about.

In the last couple of months, for example, the hue and cry within the industry against what ought to constitute inoffensive entertainment without going Pollyanna seems to have died away. Not so throughout the land, however.

Confined to no particular creed, churchmen of many denominations are urging their constituents to watch the types of pictures which play their local theatres. In some instances, and enough of them to indicate all is not well with the current status of business, the public is being admonished not to go at all.

It's the old story, not even in new dress, but enough momentum, backed by enough reason, has been given the movement to make it frightfully dangerous if notes are ever matched and a joint course of procedure ever determined upon.

The inescapable fact that ties in with all of this is that many of the potshots taken at films strike home because the bullets are manufactured from truths.

Hollywood, gallivanting along in its sublime serenity, cut off from the rest of the land by its own provincialism, persists in turning out what it thinks the rest of the country ought to see. The theory may be all right, but about it there is only one faulty line of reasoning. The rest of the country doesn't happen to agree.

KANN

Eastman Up 1½ on Big Board

	High	Low	Close	Net Change	Sales
Consolidated Film Industries	4⅝	4⅜	4⅝	— ⅛	400
Consolidated Film Industries, pfd	16⅜	15⅞	15⅞	— ⅛	900
Eastman Kodak	90¾	90	90½	+1½	1,400
Eastman Kodak, pfd	131	131	131	+1	1,000
Fox Film "A"	15½	15	15½	+ ⅝	700
Loew's, Inc.	32⅝	31⅞	32⅜	+ ⅜	8,400
Loew's, Inc., pfd	89	89	89	—1	100
M-G-M, pfd.	24	23⅞	24	+1	200
Paramount, cts.	5¼	4⅞	5⅛	+ ¼	7,500
Pathe Exchange	3⅝	3½	3½	— ⅛	1,600
Pathe Exchange "A"	19⅞	19⅜	19⅝	+ ⅝	1,400
RKO	3⅝	3½	3½	— ⅛	2,600
Universal Pictures, pfd	32	32	32	.....	5,000
Warner Bros.	7	6⅝	7	+ ⅜	5,300

Technicolor Off ⅛ on Curb

	High	Low	Close	Net Change	Sales
Sentry Safety Control	⅜	⅜	⅜	.....	300
Technicolor	9⅛	9	9⅛	— ⅛	200
Trans Lux	2¼	2⅛	2¼	.....	200

RKO Bonds Climb 3 Points

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	9⅛	9⅛	9⅛	+ ⅛	14
Loew's 6s '41, ww deb rights	96½	96	96½	+ ½	15
Paramount F. L. 6s '47	45	44½	44½	— ¼	12
Paramount Publix 5½s '50	46	44¾	46	+ ¼	6
RKO 6s '41, pp	41	40	41	+3	3
Warner Bros. 6s '39, wd	56¼	55	56	+ ½	45

Purely Personal

CHARLIE JONES stepped off t deep end last week, it becar known yesterday, and took unto hi self a bride. She is EVELYN L KOCH. They worked together at M jestic and are continuing the busine arrangement under the marital aegis well.

JIMMY (SCHNOZZLE) DURAN and POLLY MORAN are on their w here from Hollywood for personal a pearances at the Capitol beginni Friday.

RICHARD ARLEN and his wife, JOH NA RALSTON, and their nine-month-c son will reach town tomorrow fr the coast. They're on their way Europe for a vacation.

EUGENE ZUKOR, HOWARD DIE GEORGE WELTNER and MITCHELL MA JR., among the diners yesterday no at the Motion Picture Club.

FRANK MORGAN has been made vice-president of Angostura-Wupp mann Corp. His mother, MRS. JO PHINE WUPPERMANN, is president

BOB GILLHAM is back from N Orleans. The last four nights w spent on Pullmans. BOB no like.

WILLIAM D. SHAPIRO of Maj tic returned yesterday from a Bos business trip.

ERNEST TRUEX has signed a tw year contract with Educational produce shorts.

NEIL AGNEW and MILT KUSELL turn from their vacation early n week.

HERMAN ROBBINS, president of N tional Screen Service, reurned yest day from Miami shores.

GEORGE JACOBS, formerly U. branch manager in Charlotte, is town meeting old friends.

S. R. KENT is back at his E desk following a Florida vacation.

JACK COHN hied off to Mia Beach yesterday for a brief rest.

GEORGE SCHAEFER is back from Fl ida, tanned and looking well.

ALINE MACMAHON arrives fr the coast in about 10 days.

JEAN DUVIVIER, French director due in today on the *Paris.*

MOTION PICTURE ALMANAC

1934-35

NOW IN PREPARATION

WHERE THE WORLD LOOKS FOR MOTION PICTURE facts

PRICE $5.00

28 Impartial Men Will Be Named Today

(Continued from page 1)

klahoma City. With the naming of vernment representatives to 28 more ards today, instructions for getting e various bodies functioning will out within the next few days. The nual on rules was virtually adopted sterday by the authority and minor anges are now being made in the art, which has already been set in pe.

Division Administrator Sol A. Rosblatt yesterday stated he will appint a committee within the next y or so to set the basic wage scale New York operators.

Reports on free radio shows, the udeville situation, fire regulation exchanges and finances and budget re submitted and acted upon by body.

One of the six impartial members derstood set but not ready for anuncement until the clearance and ning government onlooker is apinted for the Philadelphia zone is l. Harry B. Salter.

Because it was not yet definitely cided whether or not one or three ards would be set up in New York, matter was put over for further nsideration. The Philadelphia ard was completely upset because protests. Morgan Walsh is back the San Francisco clearance and ning board to stay and Sidney Lust l M. Garman have been named bsequent run exhibitors in Washton.

The budget was approved in prinle, but method of collection reins unsettled. The rules for boards e gone back to committee for a few anges.

reel Will Enforce Code on the Coast

Hollywood, March 12.—Determined stop alleged code chiseling by jors, George Creel, state NRA adnistrator, arrived here today and k enforcement of the code out of hands of the compliance committee. announced a special administrator uld be placed in charge, probably lge Ben Lindsay, who was apnted several weeks ago to investie complaints. Violations regardsalaries and working hours will probed and heavy penalties ased, it was said.

Theatre Code Delayed

Washington, March 12.—Hearings revision of the legitimate theatre e were postponed today from rch 21 to March 28 in order that sumers' representatives may be ened in the fight against ticket pers. Consumer members of the overy Administration believe that have a greater interest in this stion than any other group and preparing to make a fight for ngent regulations.

ays Back from Florida

Will H. Hays returned from a k's vacation at Miami last night.

Not Bad!

Hollywood, March 12.—The new policy of certain majors of electing their own "Baby Stars" has at least inaugurated something new. It gives the young actresses the opportunity of being selected twice.

Helen Mack is the first to be thus honored. Last year she was a Fox "debutante." This year she's a Paramount "protege."

Next year she'll probably be an All-American.

Philadelphia Union And Warners Dicker

(Continued from page 1)

union is asking $20 per week for its usher and doormen members. Robert Brecker is treasurer of the local and Nathan Cohen, secretary.

Akron, March 12.—Ushers and doormen are on strike at Loew's here and the house is being picketed by Local 127, Building Service Employes Union. Refusal of Ernest Austgen, house manager, to accede to the new union's wage scale demands resulted in the strike.

Local 118, Theatre and Amusement Employes union, is continuing its meetings with New York circuit representatives with a view to obtaining recognition of the organization. Representatives of leading circuits are scheduled to meet today for a final decision on a closed shop for ushers.

Mascot to Make 20 Feature Productions

(Continued from page 1)

westerns. The first will be ready May 1. Four serials will be in the new season's lineup.

All product will continue to be released through independent exchanges, Levine said, adding that his distribution plans had been completed for the entire country.

"The Lost Jungle," starring Clyde Beatty, will be the first of the four serials. It will be released day and date with the opening of the circus in New York, April 7. It will be in three versions. The first will be with a three-reel first episode, followed by 11 two-part chapters. The second version will have a feature length first installment to be followed by 10 two-reel chapters. In addition, it will be offered complete as a seven-reel feature.

Three months later another 12-part serial, "Burn 'Em Up Barnes," a speed story, will be released, to be followed by "The Law of the Wild," "Rex, King of Wild Horses" and "Rin Tin Tin, Jr."

Quittner Appeal Mar. 19

A motion for leave to appeal the Joseph Quittner anti-trust action as a pauper will be made in U. S. Circuit Court of Appeals here March 19. If granted, the order will permit Quittner, former Middletown, N. Y., exhibitor, to take his suit against major companies to the higher court without printing the voluminous record of the case dismissed last year by the U. S. District Court here.

Deny Friction Over Cuts By Kansas Board

(Continued from page 1)

of liquor or drinking by women, as reported, in deference to the dry sentiment in Kansas. Discussions of censorship industry representatives had with the governor shortly after his inauguration were entirely friendly, it is said.

Also, it is declared that the matter of censorship is such a delicate one and so packed with dynamite that those who do discuss it should use discretion.

Vancouver Picture Concern Collapses

(Continued from page 1)

stage, and daughter of the late James Dunsmuir, one-time Lieutenant Governor.

Kenneth Bishop, executive of the company, admitted to holding controlling interest in the company with 8,000 shares of common stock at $10 per share. He had not paid for the shares, but claimed his three years' organization work had earned them for him. He valued the two pictures at $25,000 each.

A creditor's committee has been formed to try and rescue some of the money invested.

St. Louis Protests On Any New Houses

(Continued from page 1)

here by Warners. The letter, signed by Fred Wehrenberg, president of the M.P.T.O. of Eastern Missouri and Eastern Illinois, was decided upon after some excited discussion.

The move was the result of an announcement by Warners following the leasing of the Shubert-Rialto.

Wehrenberg said that he would be in New York later this week and would seek a conference with Warner home office executives.

Splashing on "Adverse'

Warners are preparing to go the limit on "Anthony Adverse" and may hit the $1,000,000 negative class with the Hervey Allen novel. Serious is the intention to release it in two 10-reelers, perhaps with Leslie Howard in the title role. Two different directors may handle the double version, and one of them probably will be Mervyn Le Roy.

Hollywood, March 12.—Mervyn Le Roy and Mrs. Le Roy (Doris Warner) complete their honeymoon world cruise here April 28.

Ruben to England

Hollywood, March 12.—Following a three-cornered conference between R. P. Baker, representing Associated Talking Pictures of England; J. Walter Ruben, Radio director, and Pandro Berman, Ruben sails this week to direct "Java Head." Anna May Wong is to be starred. In return, Ruben has agreed to an extension of his contract with Radio for the period he absents himself from Hollywood. He is at present directing "The Dover Road."

Buying Co-op For New York Bruited About

(Continued from page 1)

they maintain, this happens to hit at Loew's and RKO, such a situation is something regrettable maybe, but unavoidable perhaps.

Three hundred theatres in the local zone are being talked about ultimate potential strength. The argument, advanced by non-affiliated theatremen in the past, has undergone no change. Many take the stand they are compelled to follow the circuits and thus fall into the second and subsequent run divisions not because their properties are not as good, but because they have been unable to purchase product first run in opposition to local and national buying power of the chains.

The move, so far under cover, will crystallize, if it does at all, by the time the 1934-35 selling season gets under way. Independents say this is important in that the proposed combine will have to get itself set before protection schedules for the next season are set up.

There is talk, too, that independents in other cities are contemplating the same move. Distributors so far approached for comment refuse to go for quotable remarks. Several, however, point out the talk is just that and designed to have a bearing on prices for the new season.

"Almost every season in these parts, you can hear the same story if you listen hard enough," one executive declared.

Silent Film Rights Up in Coast Court

(Continued from page 1)

who owns the rights to the latter's novel "When a Man's a Man."

Lesser declared that there is a controversy existing as to whether the story can be produced as a talking picture. He purchased the rights to the book in the silent days.

The New York Court of Appeals last week upheld the decision of the Supreme Court, holding that conveyance of dramatic rights to a story prior to the inception of talking pictures carried with it the talking picture rights.

Birmingham Theatre Escapes in Big Fire

Birmingham, March 12.—The Alabama, this city's biggest house, has proved it is really fireproof. In a $3,000,000 fire which swept the surrounding block it escaped with practically no damage. An adjoining department store was destroyed.

Until the surrounding debris is removed, the house program will be switched to the Temple.

May Cancel Trip

Gradwell L. Sears and Andy W. Smith, Jr., sales manager of Warners, who planned a trip to the coast tomorrow on new season's product, may not go at this time. Jack L. Warner figures on a short visit East and a return to Hollywood in time for the M.P.T.O.A. convention April 10-12 Warner is due Monday.



RIPTIDE

NORMA SHEARER

Robert Montgomery



VIVA VILLA!

WALLACE BEERY





HAPPY *Springtime!*

When you talk about BIG pictures, you're talking M-G-M language. The records of 1933-34 are already bright with "Tugboat Annie," "Dinner at 8," "Dancing Lady"and others from M-G-M, but—

Springtime brings Giant M-G-M Attractions that dwarf everything else in the entire industry!

The one and only company that makes road-show calibre entertainments now presents "RIPTIDE", "VIVA VILLA!"," TARZAN AND HIS MATE". Talk about BIG pictures . . . they're yours for a joyous M-G-M Springtime!

TARZAN AND HIS MATE
JOHNNY WEISSMULLER

New Orleans

NEW ORLEANS, March 12.—GUY BROWN, representing affiliated national distributors on the New Orleans grievance board, is manager here for RKO. Here is his biography, told by Brown himself:

"I took my first bow in the industry in 1920 as a salesman for Fox. After serving two years in that capacity, I decided to learn something of the physical operations of the business and requested a transfer to the booking department which was subsequently granted. Any success I might have achieved or experience gained I attribute to the two years in which I served at the head of the booking department. About this time opportunity knocked at the door when I was recommended for an opening as branch manager of P. D. C. Several years later this company merged with Pathe and it was my fortune to be retained as branch manager. Eventually Pathe merged with Radio and my good luck continued in being retained as branch manager of RKO which position I hold today. During my 13 years in the industry I served as president of the Film Board and as chairman of the local zoning board. I am a native Orleanian and naturally a booster for our winter capital of America, realizing the devil lived in heaven until he knocked his home town! My father was born here, as was my grandmother before him and the Brown family now lays claim to a fourth generation due to the blessed event of my only child, a daughter, who was released in New Orleans four years ago. Let it be said, however, that I had to travel into Mississippi to take unto myself a wife. I am the only non-professional member of the family, my father being a physician, my only brother an attorney and my mother and two sisters, before marriage, school teachers. Habits normal; money none; favorite pastime, bridge.

HOUSTON DUVALL, representing unaffiliated distributors on grievance, will be 35 in a couple of weeks and was educated at the University of Mississippi. He has been in the business since December, 1919. Some highlights: From date of entry to November, 1924, he was assistant manager for FBO here. From the latter date to February, 1929, he was a salesman for Liberty-Specialty. From then to now, manager for Columbia here. He is current president of the local Film Board.

NORMAN CARTER, representing affiliated exhibitors on grievances, is a Buddha on publicity, refusing persistently to talk about himself for publication. He is a lawyer, has been identified with Saenger Theatres for a number of years and is now acting as legal adviser to the receiver, E. V. Richards, Jr. Carter, while having no direct participation in theatre operation, is regarded by those who know him as qualified for the job any time he prefers to sidetrack law for exhibition.

BERT KIERN, representing unaffiliated exhibitors on grievances, is the owner of the Happy Hour (1,100 seats) in the suburbs. Henry Lazarus, operator of the Newcomb, Wonderland and Coliseum is authority for the statement independents have protested his appointment to Administrator Hugh S. Johnson on the ground Kiern is not an independent but affiliated with a local circuit.

Who? What? When?

Sixteenth instalment in a biographical series on the men who make up the code boards.

HERBERT J. SCHWARTZ, impartial member of the New Orleans grievance board, is a native of New Orleans and a merchant with many years of experience in that line behind him. Starting as a junior clerk in the firm of Schwartz Brothers and Co., wholesale dry goods and notions and the largest firm at that time in the South, he gradually worked himself by attention to business to manager of the concern. Two years ago the firm liquidated. Schwartz's merchandising ability secured for him the presidency of the Maison Blanche Co., one of the largest department stores in the South. He has made a success of the firm, is a member of the board of directors of the City Stores, Inc., which control properties in New York, Philadelphia, Memphis, Birmingham and a few other cities and is viewed as impartial.

LUKE S. CONNOR, representing affiliated national distributors on clearance and zoning, has been with Warners and its predecessors since 1918. Beginning in that year and for six years thereafter, he was a booker for the original First National. In 1924 he was appointed branch manager here. In between, Connor also has served as a branch manager for Universal. In his early days, Connor studied law and is a graduate of Tulane University. He admits he never practiced much because he didn't seem to care for the entanglements so common in the Code Napoleon.

PAUL TESSIER, representing unaffiliated distributors on clearance and zoning, was born here on Aug. 7, 1891, educated in public schools and Ferrels, a "prep" school. From 1916 to 1921, he was a branch manager for Pathe. In 1921, he assumed a similar post with FBO until that company was absorbed and became known as RKO. He was also manager for RKO until 1932, the year of the latter's purchase of Pathe. From 1932 to 1933, Tessier then became a salesman for RKO Pathe. He started with Universal on May 1, 1933, and currently is branch manager for the company here.

Le Craw, Insurance Figure; Maxwell, Active in Banking

Who are the impartial members on the Atlanta code boards? These thumbnail sketches, touching the highlights, furnish the answer:

ROY LE CRAW, impartial member on grievances, went through Atlanta public schools, to college at the Alabama Polytechnic Institute at Auburn and to Georgia Tech later at night. He was president of the Atlanta Junior Chamber of Commerce in 1924 and of the Chamber of Commerce in 1931-1932. In 1929, Le Craw headed the Atlanta Community Chest Campaign and served as its vice-president in 1929.

He is now general agent here of the State Life Insurance Co. of Indianapolis and has been listed among his company's "Big Ten" for six years or more. This designation indicates the 10 leading business producers in his company. Le Craw is also a lawyer, having been admitted to the bar in 1931. He has served as president of the Community Employment Service which, without charge, succeeded in giving work to several thousand unemployed in the last year and is a director of six or eight other civic and charitable organizations here.

He acted as vice-chairman of the Georgia Century of Progress Commission and helped to place a fairly creditable exhibit for his state at the recent Chicago World's Fair. Other activities include membership in the High Council of the Alpha Tau Omega Fraternity. He is a captain in the Georgia National Guard, 38 years old, married and has five boys. "All of them are crazy about the movies," declares Le Craw.

ALVA G. MAXWELL, impartial member on clearance and zoning, is vice-president of the Citizens and Southern National Bank and president of the Financial Advertisers Ass'n. The latter is one of the three leading bank fraternities in the country and concerns itself with public relations and advertising problems having to do with banking.

Maxwell was born Sept. 3, 1893, on a farm in Hall County, near Gainesville, and is the son of Eugene and Mrs. Maxwell, who have lived on their Hall County plantation for more than 50 years. He was educated in elementary schools in his district and in Gainesville and later attended the Young Harris College, from which he graduated in 1914.

Since 1914, Maxwell has been active in the banking world. He entered the business in July, 1914. After working several years in a junior capacity, he was elected vice-president of the Gainesville National Bank in 1919, in which capacity he served until 1923, when he entered the public relations department of the Citizens and Southern National Bank at Atlanta. Two years later, in 1925, he was elected a vice-president, which position he now occupies. He is a member of the executive committee and has direct supervision over new business development and the public relations department of the Atlanta office.

His civic affiliations include the Chamber of Commerce, of which he is a director; the Boy Scouts of America, of which he is a treasurer and a director, and Young Harris College, his alma mater, of which he is a trustee. He is likewise a first vice-president of the Atlanta Civitan Club and a director of the Atlanta Athletic Club, a Shriner and a member of Yaarab Temple. Maxwell is chairman of the educational committee of the Georgia Bankers Ass'n and a member of the savings promotion committee of American Bankers Ass'n.

RODNEY TOUPS, representing affiliated first runs on clearance and zoning, is 36 years old and was born in New Orleans. He started as secretary with Klaw and Erlanger and was with that company until 1917, the time of the World War, when he went overseas. He returned in 191 and became assistant manager of Loew's Crescent here. In 1921, he became manager of that theatre and in 1926 manager of Loew's State (3 285 seats).

HARRY S. MCLEOD, representing unaffiliated first runs on clearance and zoning, is a newcomer. His earlier association with the show business was some 20 years ago as a young man in catching change of casts for "Theatre Notes" for the *Chicago Tribune*. Since then he has been a close student of everything theatrical. After seven years as manager of the Denver, Omaha, Minneapolis office for Hathaway, Smith, Folds, New York bankers, he entered the advertising field in 1919, after service in the Canadian Army. For five years he was western manager for the Crowell Publishing Co. on the *Women's Home Companion*, then with the Charles Daniel Frey Agency as account executive, and then western manager of *System* for McGraw-Hill. He came south to the Gulf Coast and New Orleans to take charge of the sales and promotion of Pine Hills, Gulf Hills, and Edgewater Park, representing the Edgewater Beach Hotel in its promotion of the Mississippi Gulf Coast. When the Shubert lease expired on the old St. Charles (1800 seats) owned by the Provident Investment Co., of which he is vice-president and manager, McLeod took the historic house and opened it as a first-run picture theatre in October, 1932. He is a director of the Pontchartrain Realty Co., the Provident Investment Co., president of the Gulf States Theatre Owners Ass'n, an unaffiliated unit, and film industry chairman of the Better Films Committee of Louisiana.

JOSEPH ALSINA, representing unaffiliated subsequent runs on clearance and zoning, is an independent exhibitor operating the Famous Theatre, a 1,400-seat house functioning under the name of Alsina Brothers. He is a director of the recently-formed Gulf States Theatre Owners with Louisiana, Mississipi and Alabama as the organizational field. Gulf States is not affiliated nationally.

JOSEPH A. BARCELONA, second exhibitor representing unaffiliated subsequent runs on clearance and zoning is a native of Baton Rouge, where he still makes his home. He is 32 years old, married and the father of two children. Barcelona started in the business as a rewinder in 1914 or when he was very young, subsequently filling the jobs of operator, usher, bill poster, sign painter and stage hand, eventually becoming manager. He has been operating independent theatres for the last nine years and never has been affiliated with any circuit. He takes pride in the fact that in all his experience as a showman he has never been called before a Film Board or any board of arbitration. He is now vice-president of the Gulf States Theatre Owners Ass'n., owner and manager of the Tivoli (298 seats) in Baton Rouge and president and general manager of State Theatres, Inc., of the same city. His Tivoli and State use second and third run produ

(Continued on page 7)

Los Angeles Getting Set For MPTOA

(Continued from page 1)

ogers, H. J. Siler, Lou Halper, J. eeves Espy, Mike Rosenberg, John . Young, Milton Arthur, Simon azarus, Glenn Harper, B. H. Lustig, ave Bershon, Victor M. Shapiro, rthur Ungar, Ralph Wilk, Warren tokes and W. R. Wilkerson.

Committee for reception: Hicks, airman; W. W. Whitson, A. Aal- rstein, G. A. Metzger, M. Raymond eterson, Irving Carlin, Lazarus, J. eslie Swope, K. C. Manny, Lustig, arry Vinnicof, Al Bowman, R. P. mison, Glenn Harper, Chotiner, . H. Lollier, Sherrill Cohen, George Hines, H. Y. Herond, Mike Gore, E. Baylis, William C. Riter, J. N. illon, J. J. Milstein, Carroll N. Pea- ck, N. P. Jacobs, E. W. Maclean. J. O'Keefe, Harry Lustig, Howard tubbins, George Montgomery, Sam erkowitz, M. A. Hulling, Jack rum, Dick Mitchell, Ray Olmstead, arry Millstein and A. Aranson.

Entertainment committee: Rosen- rg, chairman; Whitson, Halper, ler, Ralph Grunauer, Espy, Metz- r, Jamison, Chotiner, Doc Howe, arco Woolf, Sid Grauman and uce Fowler.

Publicity committee: Bromley, airman; Warren Burgess and arry Hammond Beall; programs id badges, George L. Hanes and ernard Loper; Registration, Lola dams Gentry, chairman; Minnie A. pple, Jennie H. Dodge and Mildred ndreau; transportation, Arnold haak and Robert Gumbiner, Con- acts, W. H. 'Bud' Lollier.

Other committees will be appointed er for entertaining wives and milies of the delegates.

U" Lab Reopens Mar. 15

HOLLYWOOD, March 12.—Universal ll reopen its laboratory March 15 der the name Universal Labora- ies, C. Roy Hunter will be in harge, while King Charney, whose ntract before the plant closed had e more year to go, will act as out- e contact to solicit independent bus- ss.

Alvin F. Werbe Dead

KANSAS CITY, March 12.—Alvin F. erbe, 74, head of the Werbe Scenic udio, has passed away at his home Kansas City, Kan. For many years s firm has conducted a national siness on scenery and interior deco- ion for theatres. Fred A. and uis A. Werbe, two of four surviv sons, will continue the business.

M-G-M Secures Stay

LONDON, March 12.—M-G-M has ured a stay of execution on the 5,000 verdict awarded by Justice ery to Princess Irena Yousoupoff nding an appeal.

No Va. Ticket Tax

RICHMOND, March 12.—Theatres will ape a state admission tax this year a vote of 25 to 12 the Senate has sed the Governor's tax bill, which s not contain the amusement tax.

Who? What? When?

Sixteenth instalment in a biographical series on the men who make up the code boards.

(Continued from page 6)

W. H. ALEXANDER, impartial member on the New Orleans clearance and zoning board, is president of Feibleman's-Sears Department Store. He is a native of Chicago and was transferred to this city to take charge of the growing establishment. For many years he was connected with the main store of Sears, Roebuck. In addition to his duties with the mercantile establishment, Alexander is a bank director, chairman of the Red Cross, a member of the local Regional Labor Compliance Board, member of the Association of Commerce, chairman of several of the most important committees and identified with a score of other civic problems. The Feibleman's-Sears establishment has on its payroll approximately 1,400 employes who are receiving, it is said, the highest remuneration of any department store in the city, despite the code which has placed the average salary at $12.50 a week. In disputes before the Labor Compliance Board Alexander has always weighed the evidence and, according to the litigants, has been a square shooter. In the film world there has been no criticism to his appointment from either side.

Aside from scattered sketches of a few men named as impartial members to code boards, today's instalment concludes the city-by-city series of board biographies.

The series by cities will be resumed following official appointment today by Code Authority of the remaining boards in Boston, San Francisco and Washington.

Harry Sherman Plans New Producing Firm

HOLLYWOOD, March 12. — Harry Sherman is lining up a new producing company to occupy the old Tec-Art studio, which has been completely remodelled. W. H. Clune, owner of the studio, is reported interested in the deal. Tentative plans are to produce 26 features. Release and distribution details are being worked out.

Urge Gov't Theatre

HOLLYWOOD, March 12.—A crowd of more than 300 attended a meeting last night at the Biltmore to agitate for the institution of a government-subsidized national theatre to present plays at popular prices, thus creating more work for actors. The meeting was called by a committee composed of Alice Brady, Eva LeGallienne and Douglas Wood.

Mrs. Roosevelt on Council

Mrs. James Roosevelt, mother of the President, has accepted an appointment as honorary vice-president of the M. P. Research Council, according to Mrs. August Belmont, honorary president. The council is opposing block booking.

Delay Miller Hearing

CHICAGO, March 12.—Jack Miller's hearing on charges of "contumacious conduct" in refusing to answer questions before a Grand Jury about alleged payments to Tom Maloy was continued today until March 17.

Won't Relinquish House

MILWAUKEE, March 12.—Fred S. Meyer denies a report that he intends to give up the Alhambra here. He points out in refutation of the rumor that he still has a year and a half to go on his lease.

Avert Milwaukee Strike

MILWAUKEE, March 12.—A threatened strike of members of the new doormen's and ushers' union has been averted by an increase of $2.50 in weekly wages with a guarantee of a 40-hour week.

Delaware Bill Asks Divorced Actor Ban

DOVER, March 12.—Pictures in which any actor or actress who has been divorced appears will be prohibited in this state if a bill Representative Robert B. Hopkins of Milton is having prepared should become a law. Hopkins said that he hopes to have the proposed act ready for introduction in the House this week.

It is his plan to create a board of censors to consist of three members, one from each county, New Castle, Kent and Sussex, to be appointed by the Governor. In addition to censoring, the members would have to determine who, if any, among those in the cast had been divorced.

Hammons Starts Trip

HOLLYWOOD, March 12. — E. W. Hammons, Educational president, with J. H. Skirball, sales manager, and Harvey Day, special representative for Terry-Toons, left last night for a tour of Fox exchanges in Boston, Buffalo, Cleveland, Cincinnati, Indianapolis and Chicago. They will be away about a week.

Vidor-U. A. in Dicker

HOLLYWOOD, March 12.—King Vidor is negotiating with United Artists to release his next film, "Our Daily Bread," now in preparation at General Service Studios. The deal will probably be closed within a week. Although no cast has been set Vidor is slated to go into production immediately.

U. A. Moving

SALT LAKE CITY, March 12. — United Artists is moving today to 214 East 1st South Street.

WASHINGTON, March 12.—C. Joseph De Maio has succeeded Sidney E. Ellison as office manager of the local U. A. exchange.

Gloria Stuart Re-Signed

HOLLYWOOD, March 12.—Gloria Stuart's contract has been renewed by Universal for three years on an exclusive service basis.

FWC Holding Aloof in K. C. War on Duals

KANSAS CITY, March 12.—"We are willing to fight it out on the basis of product and showmanship, and with 'David Harum' doing capacity business and 'George White's Scandals' and other pictures of that caliber coming, we are not worrying about double bills and 25-cent admissions at downtown first runs."

That is the answer of L. J. McCarthy, Fox Midwest district manager in Kansas City, to the current price war here in which two first runs have adopted a 25-cent top and one is double billing to boot.

"David Harum," with Will Rogers, promises to be one of the year's big money-getters locally. Opening at the Uptown two days ahead of schedule, it is certain to go two weeks and probably three, according to Stanley Chambers, manager.

BUFFALO, March 12.—Shea's Hippodrome has cut out vaudeville and is going into double features, at least temporarily. Four downtown theatres now are offering twin bills, with only Shea's Buffalo offering a single feature plus stage shows. Rumors that the first runs are about to start giving away dishes are officially denied.

Seattle to Vote on Daylight Time Shift

SEATTLE, March 12.—Voters will decide whether or not daylight saving time will be observed locally from June 10 to Sept. 3 at the general city election this week. An intensive campaign against the adoption of the measure is being conducted by the theatres, with trailers in 46 houses and outdoor displays being the principal media used. Daylight saving was effective in Seattle and other cities throughout the state last summer.

ASCAP Wins Ohio Suit

CINCINNATI, March 12.—In the suit of Gene Buck, president of the A.S.C.A.P., and four music publishing concerns, against the Southern Broadcasting Co., operating radio station WMBD, Mt. Orab, O., for alleged copyright infringement, U. S. District Judge Robert R. Nevin awarded the plaintiffs judgment for $1,000, plus six per cent interest and costs.

Raft Coming for Rest

HOLLYWOOD, March 12.—Paramount has agreed to let George Raft take his 10-week layoff now to recuperate from his recent breakdown. He leaves for New York tomorrow night. While there he may play a week or two of personal appearances. The rumor of a quarrel between actor and studio is said to be baseless.

Dix Breaks Arm

HOLLYWOOD, March 12.—Richard Dix broke his arm yesterday playing tennis. Radio is shooting around him in "Stingaree" until he recovers.

Kinematograph Year Book for 1934 Here

The *Kinematograph Year Book* for 1934 published by *Kinematograph Publications, Ltd.*, London, yesterday reached this country. It contains 596 pages. The issue is the 21st.

Like last year's book, it has colored tabs for each section, making it very convenient for seekers of quick reference. In addition, each section has an index. The main divisions are: Overseas Directory, with company offices and addresses listed from practically every section of the world; trade shown films; renters' offers, a list of all films offered for sale in Great Britain, with company names; films registered; trade organizations; equipment and technical section; trade personnel; studio personnel; general classified trade directory; theatre circuits; a list of London theatres, and a list of provincial theatres.

All acts governing the film business in Great Britain are either given in full or in condensed form. It seems to be a complete, handy reference volume for companies doing business abroad.

—J. M. J.

MPTOA Men Need Identification Cards

M. P. T. O. A. conventioneers will be required to obtain identification certificates from national headquarters, 1,600 Broadway, in order to obtain the special convention rate railroad fares to and from Los Angeles, it was stated yesterday.

With the identification cards, railroad tickets to the convention may be purchased in Pacific Coast states beginning April 3; in western states, beginning April 2; mid-western states, April 1, and earlier in eastern states. Two special trains, one leaving Chicago, April 6, with a special section being added at St. Louis the same day, and one leaving New Orleans on April 6, will be joined at El Paso, April 8, to arrive in Los Angeles the following day.

In applying for identification certificates, conventioneers should state which special train they will take and what Pullman accommodations they will require. Special through Pullmans will be arranged over leading railroads from eastern cities to either Chicago or New Orleans.

LeBaron Signs New Paramount Contract

HOLLYWOOD, March 12.—William LeBaron has signed a new agreement with Paramount to continue as an associate producer with his own writing staff, directors and supervisors. He will make 10 features in the next year to be known as William LeBaron Prod., among them the new Mae West "It Ain't No Sin."

LeBaron is reported to have had under consideration a three-year contract to head production for a British company, name unknown.

Col. Suit Postponed

Examination of Jack Cohn before trial of a Columbia stockholders' suit for an accounting, which was scheduled for yesterday, was postponed to March 21. Both Cohn and his attorney in the action, Nathan Burkan, are out of town.

"David Harum" Big Draw Of Week in 3 Key Spots

(Continued from page 1)

troit, Indianapolis, Minneapolis and Boston.

Katharine Hepburn's "Spitfire" piled up a fine $27,000 at the Palace in Chicago, going over the house par by $5,000. It was generally agreed that the draw was the film and not the vaudeville bill. "Frolics of 1934" was also a first class grosser with $40,000 at the Chicago, $5,400 over normal. Addition of vaudeville at the Oriental helped "Eight Girls in a Boat" up to a par $23,000. "Death Takes a Holiday" stayed up to $11,500 in its second week at the Roosevelt. Three other grosses, all weak, were: "Moulin Rouge," second week, $10,000; "Bombay Mail," $13,000; "You Can't Buy Everything," $12,000.

"Harum" Big in Cleveland

"David Harum" ran a close second to "Carolina" in Cleveland with an $8,000 take at the Hippodrome. "Spitfire" was also in the big money with $19,000 at the RKO Palace, helped by a stage show. "Master of Men," on at the Allen with the first week of a stage show, was good for $6,500. "This Side of Heaven" and "In the Money" had a par $4,000 at Loew's Stillman. "Nana" trailed along with a bad $8,000 at Loew's State.

"David Harum" took nearly all the stray money in Detroit. The $23,500 gross at the Fox, with a stage show, was $8,600 over average. "Queen Christina," with $11,600 at the United Artists, was the only other attraction in town to do a good business. The weak links in the chain were: "It Happened One Night," $8,100 at the Downtown; "This Side of Heaven," $5,400 at the Fisher; "The Cat and the Fiddle," $19,200 at the Michigan; "No More Women" and "Six of a Kind" at the State, $5,100.

Indianapolis was another spot that went for "David Harum" in a big way. The Apollo was nearly three times average at $6,000. "It Happened One Night" ran a good race for second honors with $5,000 at the Circle. Even Kate Smith couldn't help "I've Got Your Number" over a normal $10,000 at the Indiana. "The Cat and the Fiddle" was average with $4,500 at the Palace, but "The Poor Rich" was off at $5,500 in the Lyric.

Montreal Picks Up

Montreal didn't mind the winter weather. "The Cat and the Fiddle" did a strong $10,500 at the Capitol and Loew's reached the same figure with "Four Frightened People" and five vaudeville acts. "Let's Fall in Love" and "East of Fifth Avenue" hit $7,000 at the Princess, but the other dual, "Six of a Kind" and "Search for Beauty," fared badly with $9,000 at the Palace.

"It Happened One Night" and "Queen Christina" mopped up in Minneapolis and St. Paul. "It Happened One Night" took $6,500 in Minneapolis and "Queen Christina" reached $8,000 in Minneapolis and $7,000 in St. Paul, both figures away over par. "Hi, Nellie" was good for $4,000, $500 up, at the St. Paul Riviera. "Moulin Rouge" was weak at $5,000 in the Minneapolis State. "Dark Hazard" also failed to stir any excitement at the St. Paul Orpheum. "Emperor Jones" reached a good $2,500 at the World. "Fugitive Lovers," "You Can't Buy Everything" and "Frontier Marshal" were fair.

Most of the heavy money in Oklahoma City went to the Warner, playing "I've Got Your Number" and a stage show called "Hollywood Premiere." The take was $6,400. "Moulin Rouge" was away off at $3,800 at the Criterion. "Mandalay" was $300 up with a take of $2,800 at the Capitol. Other houses suffered.

With the return of something like spring weather, Boston showed improvement. "Mandalay," with Will Mahoney and a stage show, ran over par by $5,000, reaching $33,000 at the Metropolitan. "The Lost Patrol," with the "Greenwich Village Follies" on the stage, piled up $20,500 at the Boston. "I've Got Your Number" and "Devil Tiger" took a good $10,000 at the Fenway. "It Happened One Night" topped average by $5,000 with $21,000 at Keith's. "Mystery of Mr. X" rounded out a total of good grosses by getting $18,000 at Loew's State.

Providence turned out in a big way for "The Poor Rich" and "Midway Nights Revue," a stage show, by shoving $11,500 into the RKO Albee boxoffice, but the others felt the strain. "Mystery of Mr. X" was $1,000 up on a $13,000 take at Loew's State, and "If I Were Rich" and "No Funny Business" were better than fair with $1,100 at the RKO Victory, but two duals, "Good Dame" and "Sixteen Fathoms Deep" at the Paramount and "Heat Lightning" and "Coming Out Party" at the Majestic, were weak.

McKay Is Dead; Ont. Exchange Inspector

TORONTO, March 12.—William Rupert McKay, inspector of film exchanges for the Ontario government for 14 years, died here today from the result of war wounds. He lost a leg in France. Although his duties were disciplinary, McKay was popular throughout the film trade. In large measure he was responsible for the adoption of safety regulations for exchanges in Ontario following the Cleveland hospital fire in which fumes from burning films killed many. No fire has ever occurred in an Ontario exchange under his regime.

Burial Not Set

Although no funeral arrangements have been completed yet, services for Mrs. Edward J. Bowes (Margaret Illington), wife of the managing director of the Capitol, are expected to be held Thursday. The former actress, who held a high place in the profession during the early part of the century, died Sunday in Miami Beach.

Dinty Moore Picked

Dinty Moore, theatre manager and not the restaurant man, left for St. Louis last night to prepare for the opening of the Shubert Rialto there on March 31 as a Warner first run. Moore has had considerable experience with the Orpheum and latterly has worked for Warner theatres in Ohio under Nate Wolf.

Postpone P.-P. Meet

An adjourned special meeting of Paramount Publix creditors, scheduled for yesterday, was postponed till tomorrow. The meeting will be held in the offices of Referee Henry K. Davis, 140 Nassau St.

GREATER BOX OFFICE VALUE

THE box office value of the brilliant, snow white light from National High Intensity Projector Carbons has placed them in most of the large down-town theatres.

Smaller theatres may gain a like advantage through the use of National Copper Coated High Intensity A.C. Projector carbons. These carbons, in the new lamps built especially for their use, give a brilliant, snow white light and a higher level of screen illumination than the low intensity D.C. arc.



The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 35. NO. 60 NEW YORK, WEDNESDAY, MARCH 14, 1934 TEN CENTS

New Corporate Plan for RKO Is In Offing

Details Await Moves on $38,000,000 Claims

A plan of reorganization for RKO which contemplates creation of a new corporation to take over the assets of RKO is understood to have been reached by principal creditor groups of the company in conjunction with RCA. It was learned yesterday that while the basis of the reorganization plan is in the discussion stage and that actual details must await settlement of the claims against the company, which aggregate approximately $38,000,000.

Under the reorganization plan, the new corporation would make no bid for RKO assets until the amount of

(Continued on page 8)

St. Louis Awaits Next Skouras Move

ST. LOUIS, March 13.—There is considerable speculation here as to what the Skouras brothers may do in connection with the F. & M.-Harry Koplar move to get control of the Ambassador, Missouri and Grand Central through agreement with first mortgage bondholders.

It is understood the Skourases' agreement with Warners to stay out of local exhibition expires next month, and opinion here is that they won't stand by and watch a change of con-

(Continued on page 12)

Warners Will Delay Reply to St. Louis

Warner theatre executives declared yesterday that no reply would be made to the letter protesting opening of additional theatres in St. Louis, reported to have been sent by the M.P.T.O. of Eastern Missouri and Western Illinois through Fred Wehrenberg, president, until Joseph Bernhard, Warner theatre head, returned from the coast, where he is on a theatre inspection tour. The St. Louis exhibitors' letter is said to have been negated by Warners' leasing of the Gilbert-Rialto.

Rutenberg's Detroit Booking Suit Ended

DETROIT, March 13.—Al Rutenberg's suit against the Mid-States booking combine over the latter's al-

(Continued on page 12)

Name Impartial Members For Boards in 11 Cities

Impartial members for both boards in 11 cities were announced yesterday by Code Authority. In addition, outside members were made known for the Washington, Boston and San Francisco boards at the same time the rest of the personnel for these territories was disclosed yesterday. In Salt Lake City a replacement was made for the impartial member of the grievance group.

Government representatives for boards in Cincinnati, Dallas, Des Moines, Indianapolis, Kansas City, Los Angeles, Memphis, New Haven, Omaha, St. Louis and Seattle follow:

Cincinnati—Irwin S. Rosenbaum, attorney, on grievances.

(Continued on page 4)

Indies Are Silent On Buying Combine

Independents, linked by reports, at least, with a plan to develop a buying cooperative in Greater New York, were non-committal on the subject yesterday. It was admitted that a preliminary survey was under way, principally by sounding out sentiment

(Continued on page 12)

Studio Agreement Extended 2 Years

HOLLYWOOD, March 13.—The studio basic agreement entered into in 1926 between major producers and the I. B. E. W., the American Federation of Musicians, the United Brotherhood of Carpenters and Jobbers of America, the International Brotherhood of Teamsters, Chauffeurs, Stable Men

(Continued on page 5)

Sound Men Line Up Group Like A. S. C.

HOLLYWOOD, March 13.—To avoid entering into any new union pact, particularly with I.B.E.W., top men of the sound recording division are organizing their own society on lines similar to the American Society of Cinema-

(Continued on page 4)

Writers' Guild Row Stirs Free-for-All

HOLLYWOOD, March 13.—The split in the Writers' Guild threatens to become a free-for-all with several new factions entering the picture.

Waldemar Young has requested that his name be withdrawn from the

(Continued on page 12)

RKO Duals in K. C.

Kansas City, March 13.—The price war has been intensified by an announcement that the RKO Mainstreet will show a dual bill here beginning Friday. This is declared to be a temporary policy.

Triple Bills Threat Stirs Coast Houses

LOS ANGELES, March 13.—A general threat of triple bills in independent houses has developed here as a result of week-end previews in several F. W. C. neighborhood houses in connection with dual bills.

Several independent groups are up in arms and insist they will combat the new practice with topnotch triple bills all week as well as week-ends.

There has been an undercurrent of discussion over triple bills under the guise of dual bills and subsequent pre-

(Continued on page 8)

British Radio City Linked with Roxy

By BERNARD CHARMAN

LONDON, March 13.—The West End of London will have its own Radio City, it became known today when reports in circulation for some time were confirmed by Sir Malcolm McAlpine who said a $5,000,000

(Continued on page 8)

Sales Tax Assailed At Albany Hearing

ALBANY, March 13.—The proposed two per cent state sales tax was assailed here today by large delegations

(Continued on page 8)

Coast Production Drops 4 Features

HOLLYWOOD, March 13.—Production slumped to the extent of dropping four features under the preceding

(Continued on page 8)

N. Y., Phila. Only Boards Now Unnamed

Boston, Washington and 'Frisco Completed

With the announcement yesterday of the personnel of clearance and zoning and grievance boards for Boston, Washington and San Francisco, only New York and Philadelphia remain to be set up. This is expected by the next Code Authority meeting March 21.

Philadelphia has been set up twice and as many times upset. The committee is mulling whether to establish three boards for clearance and zoning and a like number for grievances, but the code provides for only one.

The difficulty in naming only two boards for the local area is that it is the largest territory in the country

(Continued on page 4)

Group Is Named to Study 30-Hr. Week

As a result of an appeal by the President for a 30-hour week and an increase in pay for all industries which can afford it, Division Administrator Sol A. Rosenblatt has appointed Harold S. Bareford, George J. Schaefer and Charles L. O'Reilly as a committee to investigate the labor situation in Hollywood and make a report on its findings to Code Authority.

The men selected represent producers, distributors and exhibitors respectively. The coast situation is

(Continued on page 4)

Dubinsky Wins Stay Against Union Acts

ST. JOSEPH, Mo., March 13.—Another chapter in Ed Dubinsky's fight with unions was written today when Federal Judge Otis granted a temporary injunction to Dubinsky Brothers against the I.A.T.S.E. and one member of the musicians' union enjoining them from committing violent

(Continued on page 12)

Hess Code Analysis Stirs Allied Satire

WASHINGTON, March 13.—"We were glad to read in the trade papers this morning," says the latest Allied bulletin, "that none other than the illustrious Gabriel L. Hess of the Hays office was the one chosen to defend the motion picture code against

(Continued on page 4)

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Warner Sails Mar. 17

According to present plans, Harry M. Warner, accompanied by Sam Sax, production chief of the Brooklyn Vitaphone studios, will sail March 17 on a four or five weeks' tour of Europe.

Cohen Coming East

HOLLYWOOD, March 13.—Emanuel Cohen will start east March 21 for a five-week stay in which he will settle next season's details.

Stanley Lupino on Own

LONDON, March 13.—Stanley Lupino plans his own company to star himself in three features a year.



Insiders' Outlook

TWO local circuits are being watched by the NRA and may get into serious trouble if they don't cut out breaches in the code. One circuit is said to pay its relief ushers in passes and no currency changes hands. Another circuit, independent, is said to pay some of its managers $30 a week and force them to sign pay vouchers stating they get $40. Two local circuit independent operators were threatened with indictments unless they cut out "two-for-one" admissions in the form of "courtesy" passes. Both men abandoned the gag. . . .

▼

Little known fact: That distributors operating in Kansas recently considered withdrawing. Censorship was advanced as the reason. Whether they meant it or not, some of the important dailies throughout the farming belt whipped themselves into a mild froth over the near or not so near step. There is the *Topeka State Journal*, for instance, which went into a two column yarn detailing complaints against censors and adding that, if distributors made good their threat to call a film strike, "such a storm of abuse would be heaped on the censors' heads by enraged citizens that the present board soon would be asked to resign." Maybe that's something to the technique. . . .

▼

Cute coast practice these days is to buy stories previously made abroad and remake, after brushing up and changing, in Hollywood. Four recent releases from three different majors, definitely fit into this classification. . . . Out of the mailbag: "As one of the oldest theatre operators in the Northwest, I still have a lot of confidence in this business and feel that if the proper showmanship is applied, it is still a great business to be in."—Tom Saxe of Milwaukee. . . .

▼

Inside on cartoon business, as narrated to and quoted by the Associated Press. Disney is supplying the figures. Mickey Mouse, as a profit maker, is a flop. Ditto on "Three Little Pigs" and the rest of Disney menage. The pigs Silly Symphony cost $60,000 to turn out, most of it due to color, although Walt didn't mention it in this interview. To date, his profit is about $4,000. Average rental on the Mickeys and Symphonies is $6 per theatre. . . .

▼

The public prints have it Rouben Mamoulian has taken himself back to the Gold Coast, his mind fixed on the idea pictures had better keep optics peeled on newspaper headlines for story material and suggestion. This typewriter hound has said that so often he hasn't the nerve to go into a return run. . . . Stories won't die that Walter Reade is making eyes—big ones—at some of the local theatres grouped under the banner of Fox Metropolitan Playhouses. Si Fabian, receiver, says it isn't so. . . .

KANN

Rosen In New G.-B. Post

Sam Rosen, former Philadelphia branch manager for RKO, has been made special representative for Gaumont British of America in the Philadelphia territory.

M. P. P. D. A. to Elect

The annual meeting and election of the M. P. P. D. A. will be held March 26. All officers and directors of the association are expected to be re-elected at the meeting.

Many Gains on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	25½	25¼	25½	+ ½	900
Consolidated Film Industries	4⅝	4⅝	4⅝	.....	200
Consolidated Film Industries, pfd	16¼	16	16¼	+ ⅜	200
Eastman Kodak	90	89¾	89¾	— ¾	300
Fox Film "A"	16¼	15⅝	16	+ ½	1,700
Loew's, Inc.	33⅝	32¾	33⅛	+ ¾	32,700
Paramount, cts.	5¼	5	5¼	+ ⅛	20,400
Pathe Exchange	3¾	3½	3½	.....	1,700
Pathe Exchange "A"	19⅞	19¼	19⅝	.....	3,300
RKO	3¾	3⅝	3⅝	.....	1,800
Universal Pictures, pfd	33	33	33	+1	1,000
Warner Bros.	7¼	6⅞	7	.....	5,700

Technicolor Up ½ on Curb

	High	Low	Close	Net Change	Sales
Sentry Safety Control	⅜	⅜	⅜	.....	1
Technicolor	9¾	9	9⅝	+ ½	9
Trans Lux	2⅛	2⅛	2⅛	— ⅛	2

Bonds Show Heavy Gains

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	10	9	10	+ ⅞	15
General Theatre Equipment 6s '40, ctf	9¼	9¼	9¼	+ ¼	1
Keith B. F. 6s '46	64	64	64	+1½	3
Loew's 6s '41, ww deb rights	98	96¾	97⅝	+1⅛	51
Paramount F. L. 6s '47	47	45½	47	+2½	18
Paramount Publix 5½s '50	48	47	48	+2	15
Warner Bros. 6s '39, wd	58	56½	57½	+1½	96

Purely Personal

HARRY WARNER, AL JOLSON, MARVIN SCHENCK, GEORGE WHITE, LOUIS K. SIDNEY, BERT LAHR and CHARLIE MOSKOWITZ were among the ringsiders in Madison Square Garden Monday night rooting for the Golden Glovers.

PHIL REISMAN, HOWARD DIETZ, HARRY THOMAS, GENE PICKER, ED DAVIDOW, LEE OCHS, LOUIS F. BLUMENTHAL, LEO KLEBANOW, BILLY FRANKEL and EMIL JENSEN were among those who lunched at the M. P. Club yesterday.

CHARLIE FORD, Universal Newsreel business manager, was the real victim of a birthday surprise party the other night when 20 friends arrived and found him in shirt sleeves on the parlor floor repairing a radio.

R. H. COCHRANE was back at his desk yesterday following an illness of two weeks and found so much work piled up he was unable to attend a number of scheduled meetings.

JAMES LOUGHBOROUGH is in Cleveland handling the opening of "The House of Rothschild" at the Ohio. AL SELIG is in Boston on the same job at the Majestic.

MO WAX and RONALD BANK are working on a film story of the French Stavisky scandal called "The Boulevard Swindler."

JOE BERNHARD is expected back from his inspection trip to Warner west coast theatres about the middle of next week.

AGNES DE MILLE arrives from London on the *Paris* today and will leave for Hollywood to begin work in Paramount's "Cleopatra" at once.

ALINE MACMAHON, now finishing work in "The Happy Family" for Warners, expects to reach New York a week from Saturday.

FRED MCCONNELL is back in town following a seven weeks' sales trip all having to do with Van Beuren shorts.

NATALIE MESSENGER will interview players over Station WOR at 2:30 every Sunday afternoon.

ELIZABETH COBB's "She Was a Lady" has been purchased by Fox. HELEN TWELVETREES will be featured.

VINCENT LAWRENCE has sold "Sour Grapes" to Radio as a second starring vehicle for CLIVE BROOK.

DORE SCHARY and LEWIS FOSTER have sold "The Love Life of a Sailor" to Universal.

ARNOLD BENNETT's "Sacred and Profane Love" has been sold to M-G-M.

AL SHERMAN is writing AL JOLSON's biography.

ROY DISNEY is in town on business for his brother WALTER.

J. J. UNGER shakes the dust for Miami the latter part of the week.

HARRY A. ROSS is back from a trip to Florida.

LOU DIAMOND is due in from Hollywood late next week.

LANNY ROSS arrives from the coast tomorrow.

FOX FILM announces

that the title

"FOX FOLLIES"

has been changed to

"STAND UP and CHEER!"

● Owing to another company's unauthorized use of the word "Follies" in a picture title, and its subsequent continued use of a similar title, FOX has decided to change its own title of "FOX FOLLIES" to "STAND UP and CHEER!"

● FOX retains the right to use "FOX FOLLIES," or any variation of that title for any future pictures.

● Because the other company's picture has already played in many places under the "Follies" title, we feel the use of "FOX FOLLIES" would be confusing to motion picture theatre-goers, and tend to give the impression of a return engagement rather than an entirely new picture.

● Therefore, for the protection of those exhibitors playing our picture, FOX finds it compulsory to make this change of title.

N. Y., Phila. Only Boards Now Unnamed

(*Continued from page* 1)

and the problems are many. A request may be made to the division administrator to supplement the code for additional boards.

Also announced yesterday were replacements on various boards because of declinations. Twenty-nine impartial members were announced, one a replacement because of resignation.

The six complete boards made public yesterday are as follows:

Boston

Grievance

1. Thomas B. Spry, Warners.
2. Herman Rifkin, Monogram.
3. John M. Brennan, Loew's.
4. Martin Touhy, Pawtucket.

Impartial Member—George R. Farnum, attorney; former assistant United States attorney.

Clearance and Zoning

1. R. C. Cropper, RKO.
2. John Dervin, United Artists.
3. Martin J. Mullin, Publix.
4. Max Levenson, Boston.
5. Charles Hodgdon, Wakefield; Frank Lydon, Boston.

Impartial Member: Judge Robert Walcott.

San Francisco

Grievance

1. Charles H. Muehlman, Warners.
2. Barney Rose, Universal.
3. Cliff Work, RKO.
4. Aaron Goldberg.

Impartial Member—A. C. Scales, Chamber of Commerce.

Clearance and Zoning

1. G. C. Parsons, M-G-M.
2. Floyd St. John, Monogram.
3. A. M Bowles, Fox West Coast.
4. H. V. Harvey, Watsonville, Cal.
5. George Nasser, San Francisco; Morgan Walsh, Oakland.

Impartial Member—W. W. Chapin, publisher, *San Francisco Argonaut.*

Washington

Grievance

1. Robert Smeltzer, Warners.
2. Sam A. Galanty, Columbia.
3. Carter T. Barron, Loew's.
4. Herman Blum, Maryland.

Impartial Member — Edmund M. Toland, attorney .

Clearance and Zoning

1. Rudolph Berger, M-G-M.
2. Sam J. Flax, Liberty Pictures.
3. John J. Payette, Warners.
4. William S. Wilder, Norfolk, Va.
5. Lou Garman, Baltimore; Sidney Lust, Washington.

Impartial Member—Professor Hector G. Spaulding, George Washington University.

Acts on ITOA Case

The appellate division of the New York Supreme Court has asked the Court of Appeals to pass on constitutionality of the NRA act in connection with Judge Collins' decision recently ordering 55 operators replaced in 11 ITOA theatres.

Mayor La Guardia has put off until later in the week a meeting with Harry Brandt and B. Barr to discuss admittance of children under 16 into theatres providing matrons.

The Key to the Boards

How to identify official appointments to code boards:

Grievance Boards

1. **Representative national distributor, affiliated.**
2. **Representative distributor, unaffiliated.**
3. **Exhibitor, affiliated.**
4. **Exhibitor, unaffiliated.**

Clearance and Zoning Boards

1. **Representative national distributor, affiliated.**
2. **Representative distributor, unaffiliated.**
3. **First run exhibitor, affiliated.**
4. **First run exhibitor, unaffiliated.**
5. **Subsequent run exhibitors, unaffiliated.**

Ten Replacements Made in 7 Cities

Ten replacements and shifts have been made in clearance and zoning boards of seven cities by Code Authority. Some were made as a result of declinations and others because of shifts in standings. Other changes will be announced after the next authority session March 21.

On the Atlanta grievance board, Herbert Lyons of RKO, replaces Dave Prince of Paramount as national affiliated distributor representative. Arthur Lucas has been named in place of Lionel H. Keene of Loew's as affiliated exhibitor.

In Cincinnati W. A. Keyes of Dayton, formerly listed as subsequent run unaffiliated exhibitor, is now first run unaffiliated exhibitor. J. Real Neth of Columbus switches with Keyes and is now subsequent run unaffiliated exhibitor. This is for the clearance and zoning board.

L. A. Kuhl of Corning, Ia., has replaced Abe Frankel as subsequent run unaffiliated exhibitor on the Des Moines clearance and zoning board.

The grievance board in Indianapolis now finds Roy Churchill of RKO instead of J. Harold Stevens of Paramount as affiliated national distributor representative. Stevens recently was transferred to Boston.

Hoyt Kirkpatrick of Ft. Smith, Ark., has replaced T. W. Sharpe of Little Rock on the Memphis clearance and zoning board. Sharpe recently sold his theatre interests.

In Minneapolis, the unaffiliated exhibitor post on the grievance board is now filled by Edward Ruben. He replaces Joseph Friedman of St. Paul. Friedman notified Code Authority he was too busy to serve.

David Nelson has succeeded Louis Ansell on the St. Louis grievance board as unaffiliated exhibitor.

In some cases new men were named because of protests against appointees.

"C. A." Groups Meet

Code Authority committees on financing and budget and rules and regulations for clearance and zoning and grievance boards met yesterday to discuss details toward completing work on its assignments. No decision on a figure was reached on financing. The committee is working on an equitable distribution of assessment among theatres which will be gauged by the size of the town located in, particular run and capacity. The manual on rules is being revised and will be sent to all board members shortly.

The committee on free radio shows is awaiting a report from the radio Code Authority.

Group Is Named to Study 30-Hr. Week

(*Continued from page* 1)

the first branch of the industry to be studied. Exhibition and distribution investigations will follow.

Study of the employment situation in Hollywood will not conflict with a report Rosenblatt will make by April 7 as a result of his recent trip to Hollywood.

Hess Code Analysis Stirs Allied Satire

(*Continued from page* 1)

the criticism lately made by Allied States Ass'n.

"Allied having met President Roosevelt's test by filing concrete suggestions—eight of them—the cry of 'destructive criticism' could not be made. It was necessary to file a brief on the merits. Appropriately enough, Gabe Hess was chosen for the task. We say 'appropriately' because we think an author is the best expositor of his own works. We do not know for certain that Gabe wrote the code, but Allied men found him very 'prevalent' in the precincts where the job was supposedly done. And, certainly, the results were all that he could have asked."

Carr Insists Upon Observance of Code

Hollywood, March 13.—Drastic action against any of its members who wilfully violate the industry code was promised at the last meeting of the Independent M. P. Producers' Ass'n., by Trem Carr, president.

Carr stated it was the belief of the organization that the NRA code deserves a fair trial, in spite of the increased cost of production, that the organization would not countenance any violation of the code on the part of its membership.

Sound Men Line Up Group Like A. S. C.

(*Continued from page* 1)

tographers. When fully organized they say they will attempt to negotiate their own studio agreement along lines similar to that agreed upon between the A.S.C. and studios for cameramen.

Several major producers are said to be in favor of the movement. It is said that about 75 men have been lined up as the nucleus of the new organization.

Impartial Men Are Named in Eleven Cities

(*Continued from page* 1)

Joseph Marx, Solo Manufacturing Co., on clearance and zoning.

Dallas—S. E. Tigert, Tigert Publishing Co., on grievances.

Capt. J. F. Lucey, Lucey Manufacturing Co., on clearance and zoning.

Des Moines—Dr. Arthur A. Morrow, Dean Drake University, on grievances.

Clyde Hulsizer, Des Moines, on clearance and zoning.

Indianapolis—George S. Olive, accountant, on grievances.

Paul Richey, Russell Seeds Co. clearance and zoning.

Kansas City—Thomas Finnegan district representative *Collier's,* on grievances.

E. A. Wilkie, furniture dealer, on clearance and zoning.

Los Angeles—Bernard Kreiselmann research engineer, on grievances. W C. Mathes, attorney, on clearance and zoning.

Memphis—Max Bresler, attorney on grievances. Frank Sturm on clearance and zoning.

New Haven—Professor Wesley A Sturges, Yale University, on grievances. George S. Stirling, Stoddard & Williams, investment bankers, on clearance and zoning.

Omaha—Henry Monsky, attorney on grievances. G. F. Nye, city official, on clearance and zoning.

Salt Lake City—M. A. Keyser, former president Chamber of Commerce replaces Samuel C. Powell on grievance.

St. Louis—Robert Burnett, Linda Towers, on grievances. Francis F Stout, attorney, on clearance and zoning.

Seattle—Judson T. Jennings, public library, on grievances. O. J. C. Dutton, retired banker, on clearance and zoning.

Craver Operator of 6 Southern House

Charlotte, March 13.—Sam V Craver, who has replaced W. H. Hendricks on the Charlotte clearance and zoning board, has been engaged in the business in this territory for many years. He started his career with J D. Craver, operating the Piedmont Amusement Co., of Charlotte, following which he operated the Rex here for eight years. About three years ago he formed a corporation of which he is now president, Craver Theatres with headquarters in Charlotte. The corporation operates a group of houses in this section including, the Wells (1,300 seats) and Cavalier (500), Norfolk, Va., Wake (800) Raleigh, N. C., Strand (350), Asheville, N. C., Paris (500), Greenville, S. C., and Tennessee (500), Johnson City, Tenn.

Assents About 9,000

About 9,000 unqualified assents were in hand by the Code Authority up to yesterday. The final count will be known at the end of the week when compliances from the far west arrive.

Vitaphone Not to Slash Its Program

Vitaphone plans no reduction of short subject schedules next season, it was learned yesterday. A numerical repeat of the current season's schedule of 130 one and two-reelers, including 13 "Looney Tunes" and 13 "Merrie Melodie" cartoons is about set.

Several leading short subject producers are discussing a curtailment of production for next season due to the spread of double featuring. Paramount recently announced that it would release fewer shorts next season under plans which call for dropping of all subjects from outside producers.

U. S. Supplied 50% Of Hungary's Films

BUDAPEST, March 13.—Censor figures for 1933, just published, show that nearly half of all films shown in this country came from the United States.

There is a marked increase since the previous year, due to the fact that German imports have fallen back considerably. This is accounted for by the German political situation and also by the circumstance that the drop of the dollar makes American films cheaper than they were. Importance is added to these figures by taking into consideration that 38 per cent of the Hungarian population understands German, whereas less than two per cent has a command of English. Local product supplied 11 per cent of all films shown in this country during 1933.

New Zealand Wants 25% Cancellations

WASHINGTON, March 13.—Cancellation privileges up to 25 per cent on British as well as American films are to be sought by New Zealand exhibitors, according to reports from Vice-Consul W. W. Orebaugh to the Department of Commerce.

At present cancellations of 12½ per cent are allowed on American films, but British product has increased to the point where exhibitors feel they should have uniform privileges on all product.

U. S. Films Gaining In the Netherlands

WASHINGTON, March 13.—American films have increased in the Netherlands during the past year, states the Department of Commerce in making public reports from Vice-Consul W. M. Chase at Amsterdam.

This is due largely to the decline in German showings, as practically the only films shown in the country are American or German, although an increase in French bookings is looked for this year.

British Films Are Tried in Montreal

MONTREAL, March 13.—The British film policy has spread to Montreal where it has been adopted by the Empress, a unit of Confederation Theatres, Ltd., in the English-speaking West End of Montreal.

The policy was inaugurated with the presentation of a double bill, "Southern Maid" and "The Morning After," which were the attractions for the formal opening of the Carlton, Toronto, first of a circuit known as Hanson Theatres, Ltd., sponsored by Oscar Hanson. The Carlton has had four weeks of exclusive British first runs, changed weekly.

Higher Education

Washington, March 13.—"Allied exhibitors are being educated not to commit suicide with a fountain pen—although at this time little instruction is necessary."

That's the way a section of the latest Allied bulletin reads.

"It is believed," the bulletin goes on, "that as a result of these studies the exhibitors will be able individually to resist deals which will put them out of business."

Henius Making Film At Tirwa Raj, India

TIRWA RAJ, Farrukhabad, U. P. British India, March 13.—Wolff M. Henius, formerly connected with the Paramount production department at the Joinville studios near Paris, is here supervising what is said to be the first sound film produced with Hindustani dialogue. With him is Ted Pahle, former Paramount cameraman.

The picture is to be called "Nuri." Practically all the scenes will be exteriors and among the backgrounds will be the Taj Mahal.

Germans' Foreign Film Trade Falling

WASHINGTON, March 13.—Reports to the M. P. Section of the Commerce Department from Commercial Attache Douglas Miller in Berlin, indicate German film exports registered a substantial decline in 1933 from the preceding year.

Both imports and exports of raw stock and positive fell off heavily. Total imports of raw stock in 1933 amounted to approximately 16,800,000 feet, valued at approximately $501,600. In 1932 the footage was approximately 27,729,000 feet, valued at about $924,000.

"Rothschild" Opening

"The House of Rothschild," George Arliss' first for 20th Century, opens tonight at the Astor with the usual bright lights and film and stage celebrities. United Artists claims seats are selling two weeks in advance and four shows will be given on Saturday and three on Sunday.

Ampa to Nominate

Nominations for new officers of the Ampa will be held tomorrow when the organization holds a closed meeting at the M. P. Club. John C. Flinn will preside.

To Team O'Brien-Cagney

HOLLYWOOD, March 13.—Warners will co-star Pat O'Brien and James Cagney in a sea story titled "Hey, Sailor." It is an original by Ben Markson.

Current Percentage Deals Hit by Allied

WASHINGTON, March 13.—"Excessive percentage contracts are by far the greatest menace confronting exhibitors today," according to the Allied bulletin out this week.

"Their feeling on the subject was aptly summarized by a New Jersey exhibitor recently. He said that even if the code conferred all the benefits claimed by its advocates, it would still be a matter of indifference unless he could get relief from the percentage contracts which were gradually smothering him to death."

The bulletin then quotes the exhibitor as follows: "If I am required next season to sign contracts similar to those I now have, I will not be in business to enjoy any of the alleged benefits or suffer any of the manifest injustices of the code. The code has now ceased to be my headache."

Salt Lake Managers Protest Ordinance

SALT LAKE CITY, March 13.—Managers of four Logan theatres have protested to the City Commission against a new ordinance which requires a city examination and a $5 license fee for operators. The ordinance was put over with the backing of the union.

"We feel," says the protest, "that this will work a great hardship upon theatre owners. We have all owned and operated theatres for a long time and our experience is that every motion picture operator we have hired we have had to train. Because of the many years of experience we have had we feel we are the best judges of who is capable of best serving us as operators."

Coast Indies Delay On Writers' Pacts

HOLLYWOOD, March 13.—Overtures on behalf of the Screen Writers' Guild to negotiate a standard contract for free lance writers was tabled at the last meeting of the Independent M. P. Producers' Ass'n. until the next meeting.

It is believed I.M.P.P.A. is awaiting to see what recognition the guild will receive from major producers before going on record as accepting any standard contract designed to meet their requirements.

Columbia Doubling Staff for "Glory"

Columbia is doubling the exploitation force on "No Greater Glory." On three test dates out of town, Ed Olmstead and Budd Gray will cover the Akron opening; Ralph Gervers and Les Kaufman, Hartford, and Harold Harris and Ben Atwell, Washington.

Dismiss Ohio Sound Suit

CINCINNATI, March 13. — Judge Robert R. Nevin of the U. S. District Court has entered an order dismissing the suit of General Talking Picture Machine Corp., New York vs. D. F. McCoy, operating the La Max, Wilmington, O., and the Clinton County National Bank, co-defendant, seeking damages of $2,500 plus interest and costs for alleged breach of contract covering sound equipment.

Studio Agreement Extended 2 Years

(*Continued from page 1*)

and Helpers and the I. A. T. S. E. has been extended for two years, with no changes save those required under the code.

The I. A. T. S. E. is not included in the extension because it is regarded as having broken the agreement during the strike of last year. The extension becomes effective midnight, Wednesday.

Pat Casey, representing labor for the producers, said today: "There has also been an agreement entered into between the I. B. E. W. and producers covering minimum wages, maximum hours and working conditions for electrical workers employed in studio sound departments. This agreement has been ratified by all signatories of the basic agreement and also runs for two years."

Free Tickets Cause Big Stir in Toronto

TORONTO, March 13.—A simple plan to do a good turn for the unemployed by the distribution of theatre passes by the Citizens Friendship League has resulted in a near-scandal in local political circles.

A threat by theatre owners to refuse to honor further complimentaries brought about an inquiry which indicated that needy families were not getting their week's recreation. Alderman Kirby of Toronto claimed that pass-users were driving up to theatres in automobiles. Some of the passes had the names of local politicians stamped on the back while it is claimed that some officials of the Friendship League are also officers of ward political associations.

The league has been distributing 3,000 tickets weekly and exhibitors, including the independents, felt they were doing something tangible for the unemployed, but the plan has apparently gone haywire. Political bosses, it is said, started to hand around the tickets as favors to "friends" whether out of work or not. The theatre welfare work was really established by Col. John A. Cooper, president of the Citizens' Friendship League and also president of the M. P. Distributors of Canada. He is down in Halifax at the moment.

K. C. Premium Case Ends in Dismissal

KANSAS CITY, March 13.—Acting under instructions from the solicitor of the Department of the Interior, the U. S. district attorney's office here has dismissed an indictment against Rufus H. Limpp, filling station owner of King City, Mo., who was charged with violation of the NRA petroleum code in giving away tickets to the Lucille Theatre at King City as a premium with each $5 purchase of gas or oil.

The case was dismissed because of varying opinions held by district judges in different parts of the country on the constitutionality of the law regulating intrastate commerce.

Mar. 21 Stands for ITOA

Because Mayor La Guardia could not attend the banquet next Monday, the ITOA will hold its installation of officers on March 21, as originally planned.



"As The Earth Turns" can be profitably sold as the "First Bunkless Picture." Complete material from the record-breaking Dallas compaign, available now from Warner Bros.' Advertising Dept., will show you how.

Scoop



is not an accident. Heaven gave her beauty... Training gave her Technique ...Warner Bros. gave her Experience. Only a rich variety of previous role assignments, under the tutelage of the industry's most astute directors, could have prepared this new American star for the remarkable triumph she has already scored in the Dallas and Danbury test engagements of

"AS THE EARTH TURNS"

With Donald Woods, Russell Hardie, Emily Lowry, Arthur Hohl, Dorothy Peterson, David Landau, Clara Blandick.
From the best-seller by Gladys Hasty Carroll. Directed by Alfred E. Green.

Triple Bills Threat Stirs Coast Houses

(Continued from page 1)
views for some time. The F. W. C. move has caused the pot to boil over.

Independents say they have notified Division Administrator Sol A. Rosenblatt, but have received no reply. Most of the Skouras executives are in New York and the F. W. C. office here is maintaining silence.

British Radio City Linked with Roxy

(Continued from page 1)
amusement centre, including a 6,000-seat picture theatre, had been determined upon.

Rumors link the name of Roxy with the plan, although confirmation is lacking. Roxy is here and remains until Thursday.

Coast Production Drops 4 Features

(Continued from page 1)
week, which was at a normal level. Shorts increased by one. Totals for this week are 37 features at work against 41 for the preceding week. Indications are that next week's level may go higher as 30 features are in final stages of preparation. Cutting rooms are congested with 45 features. In the short subject group there are 11 in work, 11 preparing and 23 in the cutting rooms.

Both Paramount and Fox lead the field this week with a total of six features in work. Fox has five preparing and three cutting and Paramount has the same. Warners have five, zero and nine; Columbia, five, two and four; M-G-M, three, two and eight; Radio, two, 11 and six; Century, two, zero and one; Universal, one, six and four; while the independent group shows a total of eight, five and seven.

In the short subject group M-G-M has four working, two preparing and four cutting; Roach, zero, two and four; Universal, one, one and one; Columbia, one, zero and four; Radio, zero, two and three; independent groups, five, four and six.

Sales Tax Assailed At Albany Hearing

(Continued from page 1)
from all over the state at the opening of the public hearings on the measure which is sponsored by Rep. George R. Fearon, Republican leader. Gov. Lehman is vigorously opposed to the sales tax.

The state theatre and film industry is taking no official part in the hearings. Defeat of the sales tax, industry observers opine, may increase the chance for passage of a bill calling for a 10 per cent admission tax. Its passage would exact virtually the same amount of tribute from the industry.

Invincible Plans More

HOLLYWOOD, March 13.—Invincible is increasing next season's program from nine to 12 features.

Looking 'Em Over

"The Quitter"

(First Division)

"The Quitter" is a pleasant surprise. Chesterfield has taken the theme of a mother's devotion and built around it a tender little film that is a remarkably honest piece of work made further notable by sterling performances.

The mother of the story is Emma Dunn. She runs a small-town newspaper, has been running it since her husband walked out on her a dozen years back. When her elder son (William Bakewell) talks about how much the paper is behind the times, the mother allows him to take control and revamp it. Bakewell is the boss in the home. His superior attitude clashes so with the sensitive temperament of the younger son that the latter almost leaves home.

Bakewell's uppish policy drives the sheet to the dogs when the support of his fellow townsmen is withdrawn. At this point the father (whom the youths had been told had died in the war) turns up repentant and helps Bakewell to get the paper going again along the modest lines on which his mother had operated it. This saves the old home from possible foreclosure, the mother having consented to put it up for collateral to raise additional funds to finance Bakewell's costly experiment.

Miss Dunn's performance merits no end of praise. Others who deserve commendation are Charley Grapewin, Bakewell, Barbara Weeks, Hale Hamilton, Glen Boles and Lafe McKee. Richard Thorpe directed intelligently.

"Fantomas"

(DuWorld)

"Fantomas," a French production presented by Braunberger-Richebe, may be a mystery film of the old school, but there can be no denying that it manages with considerable skill in maintaining the suspense to the very end. Also much to its advantage is the acting of its principals.

The Fantomas of the title is one of those killers that only fiction can conjure up. He murders in the coldest blood (with his fingers) and disappears as if in thin air. In this instance, the question is not the method used, for that is made known at the very start, but rather what his identity is and how he succeeds in making off.

Fantomas, as all people of his type, must have his nemesis. He finds him in the person of Juve, a super-super detective, who gets his man effectively if a bit obviously.

Jean Galland, who plays Fantomas, makes him properly satanic in appearance. Thomy Bourdelle, as the Sherlock Holmes of the piece, plays the part with ease. The others are adequate. They include Tania Fedor, Georges Rigaud and Anielka Elter.

The film is dubbed in English and its action can be followed without difficulty. Paul Fejos directed.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Rhythm in the Air"

(Warners)

HOLLYWOOD, March 13.—Vibrating to microphone rhythm with good names and ingratiating numbers, this fast, smooth entertainment should bring them in and send them out boosting.

Pat O'Brien, ether talent scout discovering Dick Powell singing in a Hollywood joint, brings his sensation to Manhattan and secures a radio audition. Powell first flops, but clicks later, when O'Brien frames Powell's sweetie (Ginger Rogers) to faint while broadcasting, with Powell stepping in singing a love song and registering.

The story in "Rhythm in the Air," while thin, has heart appeal, but major interest is in the backstage radio stuff, smart tempo and comedy interspersed with musical frills by Powell, the Four Mills Brothers, Ted Fiorito and the Three Radio Rogues. The Mills Brothers nearly steal the show and have a sock draw. Four Jewish Hillbillies singing "We're Headin' for the Last Round-Up" are the big belly laugh.

Powell with voice, personality and romance rises starward. O'Brien gives a smart, finished performance. Miss Rogers sings, acts and looks well. Joe Cawthorn, Grant Mitchell and Allen Jenkins supply comedy in varied keys. "I'll String Along With You" is the standout song number by Dubin and Warren. The production, minus gals, is nevertheless classy and Ray Enright's direction is slick and well paced.

All told, this is sparkling show entertainment all the way.

New Corporate Plan for RKO Is In Offing

(Continued from page 1)
claims to be allowed against the company are known. It is estimated that this will take from six to nine months more. RKO's principal assets include obligations due from its subsidiary companies, some of which are in either receivership or bankruptcy. The new corporation would assume the RKO liabilities, which will be determined with the settlement of claims against the company. Claims which are allowed by the U. S. District Court would be satisfied either by stock in the new company or by cash in a ratio of so much for each dollar of claims allowed, the ratio to be determined by the final amount of claims, it is reported.

Supporting the plan, it is understood, are the two principal creditors' committees, the RKO debenture and gold bond protective committee and the RKO Stockholders' Protective Committee.

Makeup of Committees

The first is headed by George N. Armsby, a partner in Blair & Co., and a director in numerous large corporations. With him on the committee are Edward C. Delafield, president and a director of the Bank of America National Ass'n., and Arthur Lehman, a partner in Lehman Bros., former RKO bankers.

The stockholders' committee, understood to be less important in the reorganization plan, is headed by Maurice Goodman and Paul M. Mazur, formerly associated with RKO financing, and Herbert Bayard Swope, chairman of the board of General Electric. Both committees are understood to have the cooperation of David Sarnoff, RCA head, in the reorganization activities. This is held by observers to be highly significant for the plan, as RCA owns 84 per cent of the RKO debentures and 64 per cent of the RKO stock. It ranks thereby as one of the principal creditors and will, therefore, be a potent factor in the RKO reorganization.

No end of the RKO equity receivership is believed possible prior to next fall, due almost entirely to the length of time which will be required for the settlement of the claims against the company. Daily hearings on the claims are in progress before Thomas D. Thacher, former Federal judge, who was appointed a special master to hear the contested claims.

Tri-Ergon Appeal Heard

Arguments on Tri-Ergon's appeal from a sound patent decision favoring local exhibitors and distributors were submitted in the form of briefs yesterday in the Appellate Division of the New York Supreme Court. Decision was reserved and will be handed down shortly.

Warners Fete Jolson

Al Jolson was guest of honor at a cocktail party given by Warner Bros. yesterday at Leon and Eddie's cafe. Newspaper, trade paper and magazine representatives augmented a list of Broadway celebrities at the affair.

GEORGE WHITE *tops* HIS OWN BEST SHOW*

*"All of my fifteen stage productions if rolled into one mighty show . . . would fade by comparison with this, my first screen production of 'The Scandals'."
(signed) **George White**

No Broadway stage was big enough to house this mighty dream show of George White. Even at $10 top, no crowds however packed, could support such lavishness. Never has there been such a cast . . . so many beauties . . . such dance creations . . . such hit songs . . . as in this crowning triumph of George White's genius.



GEORGE WHITE'S SCANDALS

300,000 Fleischmann Dealer's and 65,000 "Liberty" Newsboys are selling it for you!

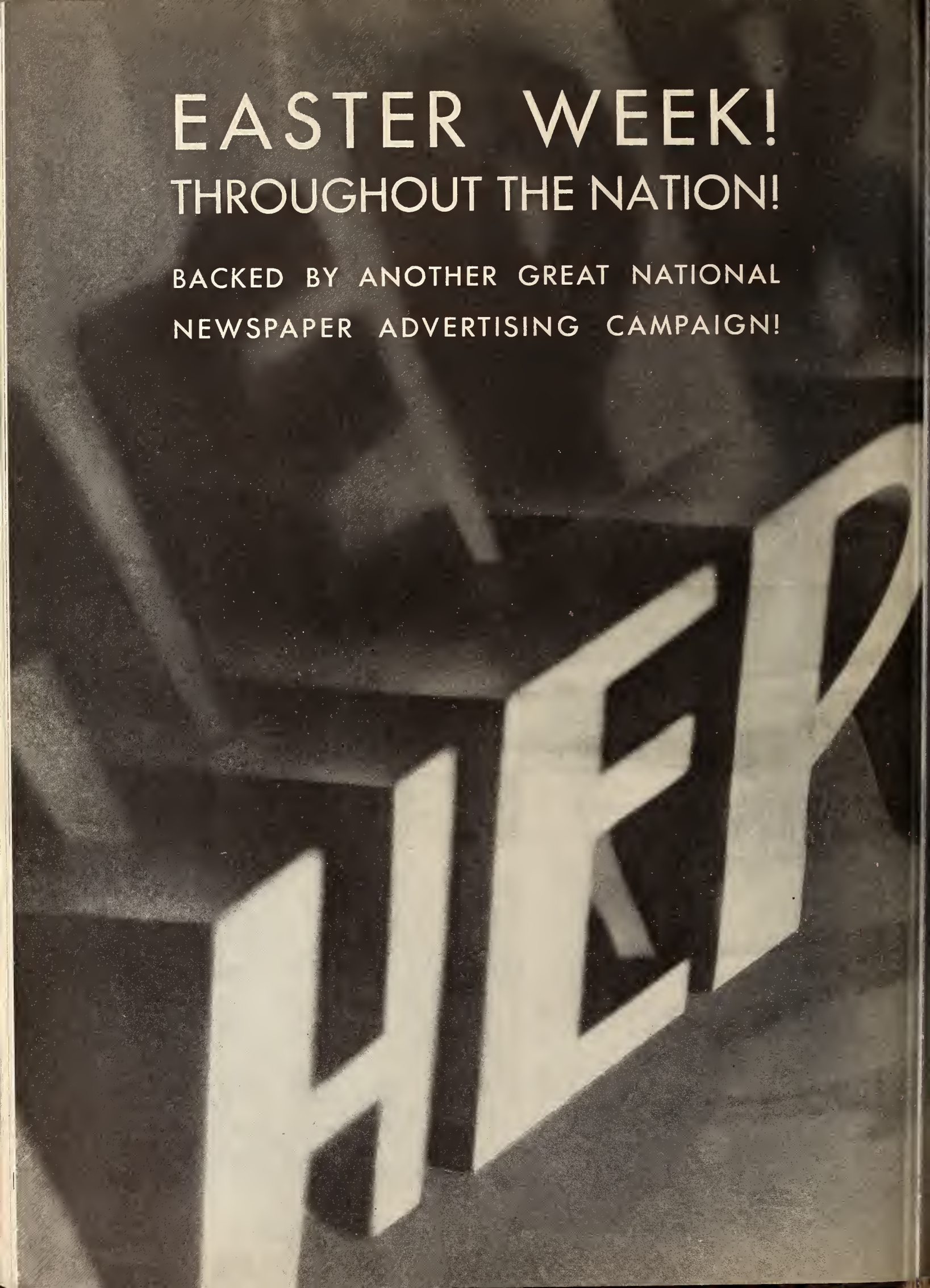
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GEORGE WHITE

Entire Production Conceived, Created and Directed by GEORGE WHITE · Musical Numbers direction of HARRY LACHMAN · Story direction by THORNTON FREELAND Music and Lyrics: RAY HENDERSON, JACK YELLEN and IRVING CAESAR · Executive Producer: ROBERT T. KANE

FOX PICTURE


EASTER WEEK!
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BACKED BY ANOTHER GREAT NATIONAL
NEWSPAPER ADVERTISING CAMPAIGN!


BURN
ONE REVIEW THAT ECHOES THE VOICE OF MILLIONS! . . .
"Hepburn is good... more than good... EVEN MAGNIFICENT!"
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"SPITFIRE"
WITH
ROBERT YOUNG
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MARTHA SLEEPER
A PANDRO S. BERMAN PRODUCTION
MERIAN C. COOPER
EXECUTIVE PRODUCER
DIRECTED BY JOHN CROMWELL
FROM THE PLAY "TRIGGER" BY LULA VOLLMER
KO RADIO ICTURE

Indies Are Silent On Buying Combine

(Continued from page 1)

of those who ultimately might be enrolled in the ranks.

The impression afloat that selling will not get under way until July this year gives proponents of the move sufficient time to get organized, it is declared by one on the inside, provided there proves to be something to organize about.

Dubinsky Wins Stay Against Union Acts

(Continued from page 1)

or fraudulent acts against the Dubinsky circuit.

Dubinsky says the injunction sets a precedent under the Norris Act banning Federal labor injunctions unless violence is proved.

The court order contained a denunciation of union tactics.

St. Louis, March 13.—The Regional Labor Board has certified to the National Labor Board at Washington the Dubinsky case at St. Joseph, Mo. This action has been taken as a result of Dubinsky's rejection of the regional board's ruling that the matter go to arbitration, that two men be used in a booth, and 13 discharged men be reinstated pending the final decision. The national board is expected to hold an early hearing.

Delay Is Granted in Portland Union Row

Portland, Ore., March 13.—Federal Judge Fee today granted local projectionists three weeks to file an amended complaint in their suit against John C. Stille and John W. Martin of the Pantages charging the theatre failed to live up to the labor provisions of the code. The judge granted a motion of the defendants to vacate an order to show cause why a temporary restraining order should not be issued. He also allowed a motion to dismiss the bill.

Following testimony by both sides today before the local NRA authorities, full details of the case were transmitted to Washington for final decision. This has the appearance of a test case between theatres and operators.

St. Louis Labor Fight Goes Under Advisement

St. Louis, March 13.—Following a hearing today, the Regional Labor Board took under advisement the complaint of the I. A. T. S. E. that three operators employed by the Ritz and Roxy in Blytheville, Ark., were discharged for joining the local union in Salem, Mo., which has jurisdiction in that territory.

The union asked that the men be reinstated and granted back pay from Jan. 7 and 9. The charges were denied by Mr. and Mrs. C. W. McCutchen, owners and managers of the theatres.

Pick Laughton's Next

Hollywood, March 13.—Paramount has bought "The Prince of Darkness," an original by Harry Hervey, for Charles Laughton's next.

Some Bull!

Hollywood, March 13.—Uncle Cecil B. DeMille is looking for a bull with a back wide enough for niece Agnes de Mille to dance on—a docile bull, preferably black.

St. Louis Awaits Next Skouras Move

(Continued from page 1)

trol in the three big houses without some kind of a fight. Any deal for control of the houses must have court approval because the controlling company, Skouras Brothers' Enterprises, is in receivership.

F. & M. have given notice to the stage help at the St. Louis, effective March 23, and Charles M. Kurtzman says a straight film policy will be started. The Fox, also operated by F. & M., abandoned stage shows several weeks ago.

In the meantime Warners have a large force getting the Shubert-Rialto ready for opening with "Wonder Bar" on March 31.

Rutenberg's Detroit Booking Suit Ended

(Continued from page 1)

leged effort to prevent him from getting film for the Iris has been withdrawn. He has been granted membership, formerly refused.

The suit had been filed in combination with Julius Fischer of the Plaza, and it is expected that Fischer's case will be withdrawn this week. The suits of John O'Dell, head of a circuit of three houses, and of the Mayfair, slated to come up March 20, may be postponed due to a petition to change them to the law side of the court and have a trial by jury.

The suit of Sam Brown for $180,000 in Federal Court will not be withdrawn, it is stated.

Fox to Sell Lloyd Picture Separately

Harold Lloyd's first release for Fox, "The Catspaw," will be sold individually and not as a part of the company's 1934-35 releases. The picture will be completed next month and will be screened at the Fox convention, date of which has not been set.

Hollywood, March 13.—Production on Harold Lloyd's "The Catspaw" has again been postponed, due to the illness of Director Sam Taylor. The picture is now three weeks behind schedule.

Tracy Signs with "U"

Hollywood, March 13.—Lee Tracy has signed a two-year contract with Universal calling for three pictures a year, with the right to sign with other companies when he is not working for "U."

Wurtzel East Saturday

Hollywood, March 13.—Sol Wurtzel leaves for the east Saturday for a two weeks' pleasure trip to New York.

New Co-op Company Now Being Formed

A new producing and distributing company, now known as Royal Pictures, although its name may be changed, is in formation to produce a minimum of 18 pictures the first year and 24 annually thereafter.

Emil Ellis, attorney, is one of the prime factors in the new organization and is active in arranging the necessary financing. Adolph Pollak will be president of the producing company, which plans to spend between $30,000 and $40,000 on each picture, according to the company sponsors.

Distribution will provide for a five-year franchise and a control system which will keep management in New York while franchise-holders throughout the nation continue to operate individually. It is also planned to cut them in on the profits of the producing company up to 50 per cent. Thus, if the producing unit makes $100,000 a year and New York is set down as a 20 per cent territory, the local distributor will get $20,000 as his end of the earnings. Each franchise-holder, it is provided, is also to contribute toward a national deposit fund placed at $100,000 minimum and $250,000 top.

Phil Meyer has closed for New York and Century Pictures of Boston for New England. It was declared for Royal yesterday that 80 per cent of the nation already is set on distribution.

Writers' Guild Row Stirs Free-for-All

(Continued from page 1)

so-called "Liberal" ticket as a candidate for the executive committee. He said that he was a member of the Academy and believed that more could be accomplished through the Academy conciliation committee than through an organization which is constantly in turmoil, with no apparent prospect of agreeing on a solid front.

Lines Up Accountants

Hollywood, March 13.—The Academy of M. P. Arts and Sciences has made arrangements for six Ambassador Hotel accounting girls and a certified public accountant, impartial to the picture business, to count ballots at the Annual Awards Banquet to be held there March 16. The Wampas met tonight to nominate 27 candidates for Baby Stars. Nominees are to be named Thursday.

Gets Detroit Trans-Lux

Detroit, March 13.—The Trans-Lux built and operated here last season by the Daylight Theatres, Inc., which has been closed for several months, has been leased by William A. London, operator of the Gladwin Park and several other houses. London will increase the present 300-seat capacity by an additional 400 seats

Lawrence Lehman Better

Kansas City, March 13.—Lawrence Lehman, manager of the RKO Mainstreet, has left Menorah Hospital where he spent two weeks for observation and treatment, and is expected to return to his post at the theatre in a few days. Meanwhile, Louis E. Mayer, recently with RKO in New York, is pinch-hitting for Lehman.

Spot News from Columbia



For the first time in the history o Hartford, Conn., a picture wa held for a third week! Also held fo 3rd week at Keith's Boston an Washington, D. C., Golden Gat San Francisco and Bijou, Spring field, Mass. CLARKE GABLE an CLAUDETTE COLBERT in Fran Capra's "It Happened One Night.



The powerful story of a woma who sought happiness in a pen house—but found it in an attic ELISSA LANDI in "Sisters Unde The Skin," with Frank Morga and Joseph Schildkraut. Directe by David Burton.



The screen's foremost actor, JOH BARRYMORE in Howard Hawk production of "20th Centur screen play by Ben Hecht a Charles MacArthur—has the fin supporting cast obtainable. Car Lombard, Walter Connolly a Roscoe Karns. A Broadway sm that will be even greater on t screen!

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 35. NO. 61 NEW YORK, THURSDAY, MARCH 15, 1934 TEN CENTS

Fox 39-Week Profit Up to $1,410,793

Contrasts with $557,122 Loss in 1932 Period

For the 39 weeks from the April 1 organization to Dec. 31, 1933, Fox Film Corp. yesterday reported a profit of $1,410,793 after all charges. This contrasts with a net loss of $595,100 for the 40 weeks ending Dec. 31, 1932. During the first quarter of 1933, prior to the reorganization, there was a loss of $557,122. Gross revenues for the 39 weeks ending Dec. 30, 1933, was $24,288,824, an increase of $4,058,924 over the same period for 1932.

The 40-week profit represents 58

(Continued on page 7)

Triple Bill Scare "Herring"—Golden

The charge that the triple feature "are" now reported in several sections of the country is a campaign maneuver of the opponents of double features designed to discredit the dual policy was made yesterday by Edward Golden, Monogram sales manager. Golden said he would expose

(Continued on page 7)

Tent Tax Is Urged At Senate Hearing

WASHINGTON, March 14.—A flat one cent tax on all admissions, regardless of price, today was proposed to the Senate Finance Committee during its hearings on the new tax bill by John J. Kelly, representing the circus interests.

Protesting against application of

(Continued on page 7)

Producers Join for Reception to MPTOA

HOLLYWOOD, March 14.—In order to prevent any one studio from making any grand stand plays in entertaining delegates to the forthcoming M.P.T.O.A. convention here next month, a general fund will be contributed to by all the producing organizations and the entertainment centralized under the management of a committee designated by the Producers' Ass'n. Jack Lewis of the Will Hays office is now in charge of the preliminary arrangements.

Code Authority Assessments May Be on 9-Month Basis

Basis for code assessments is being considered on a nine-month schedule, the same type of bookkeeping employed by several of the larger circuits and many individual theatre operators.

Those circuits which subscribe to this plan usually charge off rent for the three summer months against the rest of the year.

It is figured by some that on this basis operating expense of the code would amount to around $360,000. However, if more than the stipulated figure is needed, it will be charged against the three months not originally included in the plan.

Code Authority unofficially computes the assessment per individual theatre will be small and that it will be collectable only twice a year to keep collection costs at a low figure.

Autonomy Is Keynote for Board Rules

Local autonomy in operation will be the highlight of the manuals on rules and regulations for clearance and zoning and grievance boards, the text of which will be released for publication Monday. Each of the manuals will be around 1,500 words and includes the oath all members of the boards are to sign, rules on organization, operation, hearings and decisions.

Secretaries for the boards will be recommended by the boards themselves

(Continued on page 6)

Coast Cut to 34-Hour Week Held Possible

HOLLYWOOD, March 14.—Local observers are viewing the recent appeal of President Roosevelt for shorter hours and higher pay with great interest. Studios are now working on a 40-hour basis and it is felt that, while no agreement will be reached to cut hours to 30, a compromise may be effected to bring the total to 34.

Harold S. Bareford, George J. Schaefer and Charles L. O'Reilly,

(Continued on page 6)

Who? What? When?

Who are the latest appointees on code boards announced by Code Authority in New York on Tuesday?

These thumbnail sketches, gathered by MOTION PICTURE DAILY *correspondents and reported by telegraph yesterday, furnish the answer:*

Cincinnati

CINCINNATI, March 14.—JOSEPH MARX, impartial member on clearance and zoning, was born in Alexandria Nov. 30, 1899. He is vice-president and general sales advertising promotion manager of the Solo Mfg. Co., makers of plastic rubber goods.

For nine months in 1919 he was a Paramount salesman, covering Kentucky under W. B. Bachmeyer, branch manager. He was president of the Marx Flarsheim Advertising Agency from 1922 to 1931 and has held his present position for three years.

Kansas City

KANSAS CITY, March 14.—THOMAS J. FINNEGAN, impartial grievance board member, is district manager for

(Continued on page 6)

Keyser Refuses

Salt Lake City, March 14.—M. A. Keyser, former president of the Chamber of Commerce, who was announced as Samuel C. Powell's successor as impartial member on the local grievance board, told *Motion Picture Daily* today he had refused the post.

Code Authority stated yesterday no word of Keyser's refusal to serve had been received, and that, if a declination is made, a successor will be named at the Authority's next meeting on March 21.

Impartial Men May Be Asked To Conference

Session Expected After Trial Operation

Following a trial operation of clearance and zoning and grievance boards, a general meeting of all impartial members throughout the country looms, it is understood. The purpose, it is said, will be to get ideas from the outside men on how the boards are functioning.

Already appointed are 56 men, with eight yet to be named. Six of the eight will be named for the boards in N. Y., Minn. and Philadelphia. The other two will be men to sit on Code Authority with Division Administrator Sol A. Rosenblatt. One of the two appointees for Philadelphia is understood to be Col. Harry B.

(Continued on page 6)

Alternative Plans Up on N. Y. Boards

Because of the complexity of the Greater New York situation, the code committee on boards is mulling over two plans for setting up clearance and zoning and grievance boards.

One is to have a main board and three advisory committees for both clearance and zoning and grievances.

(Continued on page 7)

Seattle Is Satisfied With Board Makeup

SEATTLE, March 14.—Personnel of the grievance, clearance and zoning boards in the Seattle territory is generally satisfactory to exchange men and exhibitors. The general opinion locally is that NRA code regulations and enforcements will be in capable hands here.

Among the theatre men John Ham-

(Continued on page 6)

Would Alter Chicago Newsreel Censorship

CHICAGO, March 14.—An amendment to the censorship ordinance keeping newsreels from the censor's shears was introduced in the city council today by Alderman James Moreland. The action is an outgrowth of the Mayor's recent edict forbidding riot scenes to be shown in local theatres.

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

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Roxy Plans London Venture on His Own

LONDON, March 14.—S. L. (Roxy) Rothafel, denying reports today that he was associated with Douglas Fairbanks, Sr., in plans to create a London "radio city," asserted he was negotiating solely on his own. He said upon his leaving for America tomorrow he would release a statement on the results of conferences he has had with several British organizations. He was certain there would be a Roxy theatre here.

Pinnacle Closes Deals

J. D. Trop, president of Pinnacle Productions, has closed territorial releasing deals for "Hired Wife" and "Chloe" with Arthur Greenblatt, Inc., New York; Gold Medal Film Co., Philadelphia; Excellent Pictures Corp., Detroit; B. N. Judell, Inc., Chicago, St. Louis and Milwaukee; Majestic Pictures, Cincinnati; A. C. Bromberg Attractions, Atlanta, and Far West Exchanges, Inc., Los Angeles and San Francisco.

Franklin to Coast

Harold B. Franklin leaves for Hollywood this afternoon to further along his production plans. He expects to be away about four weeks.

BEN BLUE
Under Contract
WARNER BROS.
VITAPHONE STUDIO
Now Making Personal
Appearances in England
Direction of
JOE RIVKIN — Leo Morrison Agency

Looking 'Em Over

"Le Serment"

(Protex Pictures)

"Le Serment" ("The Pledge") is handicapped in its invasion of the American market at the outset by the fact it is a French-language film without a single English subtitle. Even Americans with a knowledge of French will find it difficult to comprehend the dialogue, which is not as clear as it should be. Probably French audiences will find it good screen fare.

Line Noro, married to Jean Galland, a child specialist, is secretly in love with his brother, Samson Fainsilber, a dramatist. In a struggle to prevent her from committing suicide, her lover is killed. Two letters exchanged by them are important to the plot. In one the woman tells Fainsilber she is about to become a mother.

In the other the dramatist tells her how fortunate they have been to be able to curb their passion before it went too far. When years later her letter falls into her husband's hands, he begins to doubt the paternity of the child and demands to know the name of her lover. The woman refuses until she is offered the choice of telling or loss of her child, which has been taken away by the husband, and is dangerously ill. Just as she is about to reveal the truth she discovers the second letter. This proves Galland is the father.

The picture runs for more than an hour and a half and is much too tearful for comfort. Abel Gance directed this Arci production.

"No More Women," yesterday's opener ot the Riolto, wos reviewed on March 12.

"The House of Rothschild," last night's world premiere at the Astor, wos reviewed by wire from Hollywood on Feb. 27.

"George White's Scondols," this morning's opener at the Rodio City Music Holl, wos reviewed by wire from Hollywood on March 9.

"The Show Off," tomorrow's opener ot the Copitol, was reviewed by wire from Hollywood on Feb. 27.

"Coming Out Porty," tonight's preview ot the Roxy, wos reviewed by wire from Hollywood on Jon. 22.

Chicago Aid Fund Gains

CHICAGO, March 14.—For local industry relief this city claims to challenge the records. A year ago the first relief dinner dance netted $2,300. The next affair is set for March 23. In the meantime, at the dinner for Aaron Saperstein, $1,600 was contributed voluntarily.

Embassy Cuts Price

The Embassy, all Pathe News house, has cut its opening price to 1 P. M. from 25 to 15 cents.

Pick Next for Raft

HOLLYWOOD, March 14.—George Raft's next when he returns from a 10-week vacation will be "Brothers Sopek," now titled "R. U. R." Waldemar Young is working on the treatment.

M-G-M Buys Two Plays

HOLLYWOOD, March 14.—M-G-M has bought "No More Ladies" and "Shining Hour," current Broadway plays. The former is for Franchot Tone and the latter for Alice Brady and Maureen O'Sullivan.

Columbia Up 1 on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	27½	25¾	26½	+1	3,200
Consolidated Film Industries	4⅝	4⅝	4⅝	.....	100
Consolidated Film Industries, pfd	16½	15¾	16½	+ ¼	1,600
Eastman Kodak	89¼	89¼	89¼	— ½	200
Eastman Kodak, pfd	131¼	131¼	131¼	+ ¼	2,000
Fox Film "A"	16	15⅝	15⅝	— ⅜	1,600
Loew's, Inc.	33⅜	32¾	32¾	— ⅛	7,100
M-G-M, pfd.	24	24	24	.....	100
Paramount, cts	5½	5¼	5¼	.....	23,300
Pathe Exchange	3⅝	3½	3⅝	+ ⅛	2,000
Pathe Exchange "A"	19½	19	19	— ⅝	1,300
RKO	3¾	3⅝	3⅝	.....	1,300
Universal Pictures, pfd	33	33	33	.....	4,000
Warner Bros.	7⅛	6⅞	7	.....	2,000

Technicolor Off ¼ on Curb

	High	Low	Close	Net Change	Sales
Sentry Safety Control	⅜	⅜	⅜	.....	100
Technicolor	9¾	9⅜	9⅜	— ¼	400

Bond Market Takes Spurt

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	10	9⅞	10	.....	9
General Theatre Equipment 6s '40, ctf	9½	9½	9½	+ ¼	3
Keith B. F. 6s '46	64	64	64	.....	2
Loew's 6s '41, ww deb rights	98½	98	98	+ ⅛	10
Paramount Broadway 5½s '51	34	33½	33½	+ ½	10
Paramount F. L. 6s '47	49½	47½	49	+2	45
Paramount Publix 5½s '50	50	48¾	49	+1	28
Pathe 7s '37, ww	93¾	93¾	93¾	+ ¾	1
Warner Bros. 6s '39, wd	58½	58	58	+ ½	111

Purely Personal

MARY PICKFORD will be gue of honor Saturday at a lunc eon to be given by the Ass'n of F eign Press Correspondents at Sherry Netherland.

ED KUYKENDALL was called to home in Columbus, Miss., because the serious illness of his broth KUYKENDALL may return here ea next week.

LAURENCE OLIVIER and JILL E MOND are staging a dinner tonight the Warwick preparatory to saili for London tomorrow.

DR. JULIUS KLEIN, reorganizat advisor to Paramount Publix bo holders' protective committees, returned from a Florida vacation.

AGNES DE MILLE was ill with flu when she arrived on the *Poris* y terday. She will stay in New Y until she recovers.

MR. AND MRS. ARCH SELWYN c brated their silver wedding anniv sary with a dinner at the Warw

FELIX FEIST is on a half-day w ration while recuperating from an ness.

JEANNE AUBERT finishes work to in a Vitaphone short called 'C That Kiss."

DAVID SARNOFF is trade and inc try chairman in a coming Salva Army drive for funds.

LANNY ROSS gets into town to He'll resume the coffee broadcast.

Soudeikaine to Goldw

Samuel Goldwyn left for the c yesterday after stating that he signed Serge Soudeikaine, scenic a for the Metropolitan Opera. He act as technical consultant on "Re rection," which will be started 15. Soudeikaine will leave soo begin conferences with Richard Goldwyn art director.

Service for Mrs. Bow

Funeral services for Mrs. Marg Illington Bowes, wife of Major ward J. Bowes, managing direct the Capitol, will be held this n ing at 10 o'clock at St. Pat Cathedral with the singing of quiem mass. The interment wi private.

Postpone P.-P. Mee

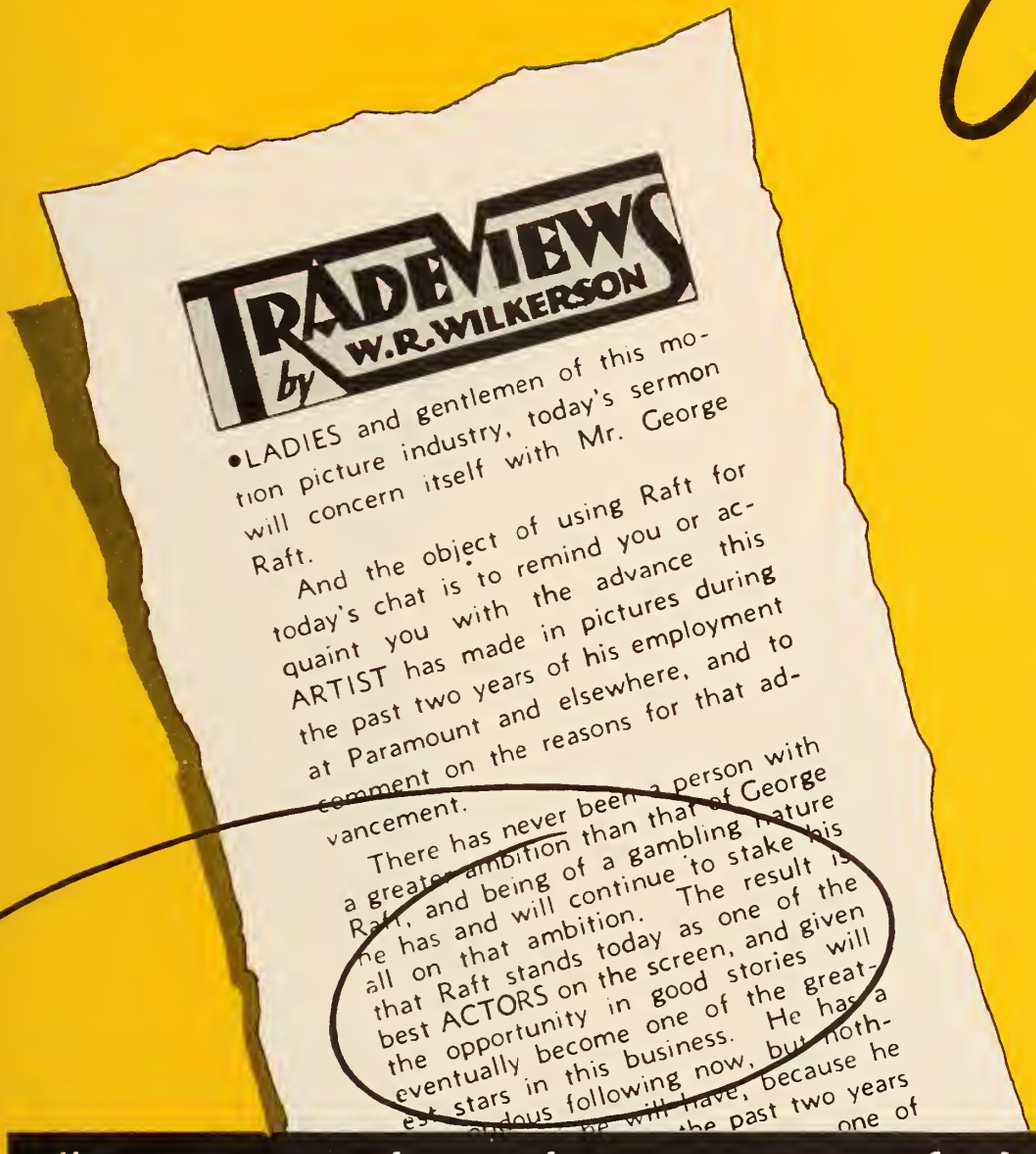
An adjourned special meetin Paramount Publix creditors, sche for yesterday, was postpone March 21.

Krellberg Returnin

Sam Krellberg, of Amusemen curities, returns to New York Hollywood Monday.

12th WEEK ON BROADW
"Forgotte Men"
JEWEL PRODUCTIONS, 723-7th Ave., N

Eventually



TRADE VIEWS by W. R. WILKERSON

•LADIES and gentlemen of this motion picture industry, today's sermon will concern itself with Mr. George Raft.

And the object of using Raft for today's chat is to remind you or acquaint you with the advance this ARTIST has made in pictures during the past two years of his employment at Paramount and elsewhere, and to comment on the reasons for that advancement.

There has never been a person with a greater ambition than that of George Raft, and being of a gambling nature he has and will continue to stake his all on that ambition. The result is that Raft stands today as one of the best ACTORS on the screen, and given the opportunity in good stories will eventually become one of the greatest stars in this business. He has a tremendous following now, but nothing he will have, because he has the past two years one of

"RAFT stands today as one of the best actors on the screen . . . and given the opportunity in good stories will *eventually* become one of the greatest stars in the business . . ."

Why



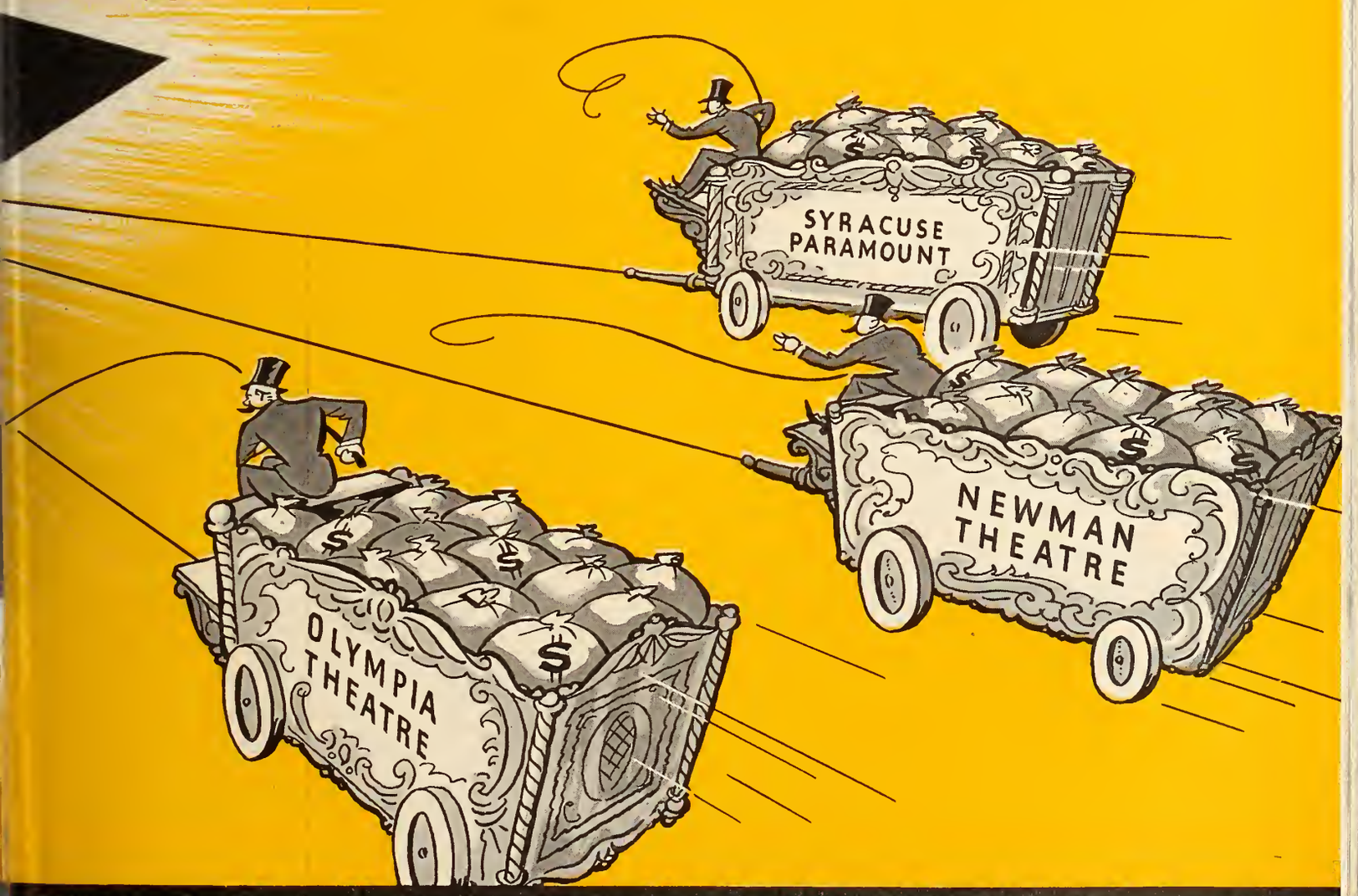
"He has a tremendous following now . . . but nothing to w

George Raft starring picture with Adolphe Menjou and Fra

not now?

They Hitched Their Wagons to a STAR!

The Paramount Theatre, New York, Paramount Theatre, Brooklyn, Newman Theatre, Kansas City and Olympia Theatre, Miami report biggest business since "I'm No Angel" on GEORGE RAFT in "Bolero" . . . . and in Los Angeles, Boston, Omaha, and Syracuse the grosses on this picture are at the season's tops!



will have" . . . after "THE TRUMPET BLOWS", another

ake. Directed by Stephen Roberts. Released April 13th.

f it's a PARAMOUNT PICTURE it's the best show in town!

Paramount Pictures

Impartial Men May Be Asked To Conference

(Continued from page 1)

Salter of Trenton for the grievance board. He is a city official and is said to have already been advised of his appointment, although this could not be confirmed by Code Authority.

Appointment of the two authority impartial observers is imminent and will probably take place within the next month. Marie Dressler and Eddie Cantor previously have been named, Miss Dressler having been absent from all sessions in New York while Cantor has attended three where actors' problems came up for an airing.

The session will probably take place around May 15, if called, and most likely will be held in Washington. No information on the move was obtainable at Code Authority yesterday and the inclination was to discount the reported plan.

Autonomy Keynote For Board Makeup

(Continued from page 1)

and the Code Authority will make appointments. The boards are expected to start functioning April 1, following announcement of secretaries.

Salaries of secretaries will be gauged by prevailing scales in each territory and will be governed by salary of employes doing similar work in each area The salaries will vary for each locality.

While many rules may be similar for both boards, there are some changes in the clearance and zoning which are not in the grievance regulations.

First and exclusive indication that local autonomy is to prevail was pointed out in MOTION PICTURE DAILY on March 6.

Seattle Is Satisfied With Board Makeup

(Continued from page 1)

rick as an independent exhibitor, stands in the highest esteem through his years of service and experience. Similarly, John VonHerberg's many years of affiliation with exhibitors and their problems makes him generally acceptable. The success of John Danz as a second run exhibitor and Al Rosenberg as an executive of neighborhood and suburban houses cannot be questioned. Frank L. Newman, Sr., is recognized as an outstanding exhibitor who has made many friends since his arrival here about a year ago.

Among exchange men, a similar situation holds true. Neal East of Paramount, Ed Lamb of RKO, L. J. McGinley of Universal and L. N. Walton of Columbia are all veteran exchange men who stand in high esteem in this territory. Concluding the group is George Endert, independent exhibitor and former exchange manager, whose knowledge of both divisions of the business is respected by his many acquaintances.

Who? What? When?

(Continued from page 1)

Collier's. He is known as the "Mayor of 12th St.," and has lived in the downtown bright light district for a quarter of a century. He is a colorful character, a bachelor, close friend of Thomas J. Prendergast, Democratic boss, and has been a Democratic committeeman for 10 years from the First Ward which embraces the downtown district. This district includes downtown theatres and exchanges.

Finnegan was born at Napoleon, O., 57 years ago. After a grade school education he took a business course and his first job was on the Democratic *Northwest Napoleon*, a weekly. He then went to Atchison, Kan., and later to New York. Subsequently he spent eight years in Cleveland and Indianapolis as a credit manager. Later he was transferred here as manager for the P. F. Collier & Son Distributing Corp. for Kansas and Oklahoma and Western Missouri. He has been with this company 30 years, all but one of these in Kansas City. He has a wide acquaintance among theatre men and exchange managers. He also knows Col. E. A. Schiller of Loew's. He is a member of the Elks and lives at the Baltimore Hotel.

E. A. WILKIE, impartial member on clearance and zoning, is president of the Wilkie Furniture Co., interior decorators and furniture dealers. He was born in Kansas City, Kan., 44 years ago. After completing grade schools he entered the furniture business at the age of 13. He formed his own company in 1919.

He organized and for three years was president of the Country Club Plaza Assn., comprising businesses in an exclusive residential section. He has held no political offices, although he has always been a Republican. At present he is a Roosevelt Democrat, because he likes Roosevelt's policies, but is independent in local politics. He says the board operation should be beneficial if based on fairness and no politics. As in the furniture business, he says, the film business has many evils which need remedying.

Los Angeles

LOS ANGELES, March 14.—BERNARD KREISELMANN, impartial grievance board member, was born in Akron 32 years ago. He received an A.B. at Akron University and later graduated from the Harvard Business School and Harvard Law School. He then worked for the American Arbitration Society as an expert on arbitration and mediation and came to Los Angeles 14 months ago and became a member of the F. W. C. publicity department for a few months.

Ben Berinstein and other members of the grievance and clearance and zoning boards said today they do not know him.

W. C. MATHES, impartial member on clearance and zoning, also is not known by other members of the boards. He was born in Texas 35 years ago and graduated from the University of Texas, following this with a post graduate Harvard Law School 11 years ago. He practiced law in Boston for one year and then came to Los Angeles where he has had a general law practice since. He has had very little connection with the film business and was surprised to learn of his appointment.

Memphis

MEMPHIS, March 14.—HOYT KIRKPATRICK, one of the two exhibitors representing unaffiliated subsequent runs on clearance and zoning, is the owner and operator of the Hoyt Theatre (250 seats) in Fort Smith, Ark., and has been an exhibitor for 18 years. He also built and owns the fine Joie Theatre (500) in that city, the house being operated now under a lease to Publix on a 15-year deal as part of the circuit's partnership deal with M. A. Lightman of Malco Theatres. Kirkpatrick is viewed along Memphis Film Row as an independent. He is successor on the board to T. W. Sharp of Little Rock who recently sold his three houses.

MAX BRESLER, who on Tuesday was appointed impartial member on the grievance board, is a native Memphian with some previous film connection. He is an attorney, 34 years old and was educated in local schools and at the University of Memphis Law School. From time to time, Bresler has represented Fox and Paramount exchanges in minor litigation.

FRANK STURM, impartial member on clearance and zoning, was born in Moscow, Tenn., and moved to Memphis when four months old. He is now 48. Sturm was educated in the public schools here and spent two years at the University of Tennessee.

His entire life has been spent in the banking business and he is now assistant cashier of the National Bank of Commerce, with which he has been connected for 28 years. A daughter, Dorothy Sturm, is now medical illustrator with the bacteriological department of Columbia University.

Sturm's only connection with the film business was in 1914, when, in a partnership, he leased a now nonexistent neighborhood house.

"It ran five months," he says. "We lost our shirts, paid the lease out and quit."

He has not been advised of his appointment yet.

Milwaukee

MILWAUKEE, March 14.—PIERCE H. BITKER, impartial member on the local grievance board, is a native Milwaukeean. Engaged in the retail business as head of the Bitker-Gerner Co., women's apparel shop, Bitker received his early education in local public schools, the Milwaukee Normal School and the Milwaukee Country Day School.

He is a graduate of the University of Michigan, holding an A.B. degree from that institution. Bitker is active in Milwaukee civic affairs and is a member of the Milwaukee Association of Commerce Retail Credit Bureau Advisory Board as well as a member of the Advisory Council to Mayor Daniel Hoan.

Salt Lake City

SALT LAKE CITY, March 14.—JOSEPH RAYBOURN, impartial member on clearance and zoning, was born in Kansas City in 1893 and attended public schools there as well as the University of Kansas. Early experience includes six years with the Kansas City Chamber of Commerce and a post on the *Kansas City Star*. From there he went to Chadron, Neb., a city manager.

Thirteen years ago Raybourn came to Salt Lake as executive secretary and manager of the Chamber of Commerce and Commercial Club. He later took over management of the Newhouse Hotel and Realty Co. here and remained in that position for about three years and a half.

He is now executive vice-president of the First Security and Trust Co. president of the Teton Lodge and Transportation Co. of Jackson Hole Wyo., and acting assistant state administrator of the Civil Works Administration in Utah.

Seattle

SEATTLE, March 14.—JUDSON JENNINGS, impartial member on grievance, has been librarian of the Seattle Public Library for the past 25 years. He was librarian at Duquesne, Pa. in 1905, and was directing assistant in the New York State Library during 1906 and 1907. He organized the Fort Lewis Library and founded the library service of the A. E. F. in Germany in 1917. He is a director and has twice been president of the Pacific Northwest Library Assn., and was president of the American Library Assn., in 1923.

ORISON J. C. DUTTON, impartial member on clearance and zoning, is a retired capitalist. He has lived in Seattle for 25 years and is a director of the Seaboard National and Dexter Horton National Banks. He is also a former president of the City Planning and Zoning Commission, president of the King County Humane Society, chairman of the Boy Scout district board, director of the Sons of the American Revolution, and president of the Washington State Society of the Sons of the American Revolution.

Coast Cut to 34-Hour Week Held Possible

(Continued from page 1)

the committee appointed by Code Authority to study the Hollywood labor situation in an effort to conform with the President's appeal for shorter hours, yesterday requested studio officials to cooperate with them and start making an analysis of the employment situation on the coast.

Loew's Akron Censured

AKRON, March 14.—Loew's Akron has been found guilty of "violating the letter and spirit of Section 7 (a) of the recovery act" by the Cleveland Regional Labor Board, which has recommended that the theatre take back two discharged employees and five sympathy strikers.

Both Ernest Austgen, manager and W. H. Wilson, representative of the International Union of Building Service Employees, were censured for their attitude. The theatre discharged three ushers and five others were called out on strike by Wilson. Augsten maintained the theatre was changing from vaudeville to films and did not need the workers.

Fox 39-Week Profit Up to $1,410,793

(*Continued from page* 1)

ents per share on the 2,436,409 hares of Class A and B stock outtanding. Forty-four cents per share f this was earned during the last uarter.

The balance sheet total is given as 18,264,086. This includes $5,021,932 n cash, $1,691,082 in accounts receivble, and inventories of $11,123,541 gainst current liabilities of $3,910,292. here are no bank loans.

Investments and advances to affiliated companies, after deducting the eserve for revaluation of $14,500,000, mount to $16,623,543.

Fixed assets, after deducting the sual reserves, stand at $10,632,050. unded debt comprises five-year six er cent convertible debentures, $1,-46,600, and subsidiary realty comanies' bonds, $2,378,075, a total of 4,124,675.

The net worth of the corporation as hown by its balance sheet at Dec. 30, 933, was $35,185,569, including arned surplus of $1,674,354, and was epresented by 2,419,759 shares of lass A and 16,650 shares of Class B apital stock, indicating a book value f $14.44 per share.

Operations of Wesco Corp. and its ubsidiaries, which include all Fox heatres, were not given, the company ointing out many units are still in ankruptcy. Fox's investments in Vesco have been written down to $1, ut advances to Wesco and F. W. C., ts principal subsidiary, are carried o the full amount with reserves for ny readjustment which may be necesary in ending the bankruptcies.

Cent Tax Is Urged At Senate Hearing

(*Continued from page* 1)

ne 10 per cent tax on circus admisions, Kelly declared collections from his source last year amounted to 380,000, which, he said, represented pproximately the loss to the circuses n their business.

The witness charged that of all the lm theatres in the country only about 00 collect any tax under the present 0-cent exemption and asserted that omething like $23,000,000 a year ould be collected through a one cent ax on all admissions, on the basis of 600,000 admissions a day, while by pplying that tax to all admissions as uch as $38,000,000 could be collected rom all sources. As another alternave to the present tax he suggested an xemption of 75 cents except for such musements as are in the night-life ass and sporting events.

"You would be in a stronger posion if asking for exemption for the rcus rather than a one cent tax on ll amusements," Senator Pat Harrion of Mississippi, chairman of the ommittee, commented. "Congress is ot going to stand for that."

The senator referred to the various ghts in the past between those who avor taxes on all admissions and ose supporting the present method f providing an exemption and indiated he would not want to go through hat experience again.

Alternative Plans Up on N. Y. Boards

(*Continued from page* 1)

The second plan is to have three committees, each with equal power, to decide problems for various zones.

Under the first plan, the advisory committees would hear problems of territories within their province and report back to the main board for approval of decisions. The second plan would have each of the three main committees make its own decisions, which would be final, except for appeals.

If the main board and three advisory groups or the three main committees is accepted, one would cover New Jersey, another Manhattan, Bronx and upstate New York and the last, Long Island, Brooklyn and Staten Island, in accordance with the local selling plan.

It was pointed out yesterday that the code specifically states only one grievance and one clearance and zoning board must prevail for each zone. There is nothing in the context of the code, on the other hand, to prevent Code Authority from naming as many committees as it likes. If it is held feasible to name territorial committees within the major boards to ease the complexity of the Greater New York situation, this can and may be done. No decision, however, has been reached on this point.

Action on Tickets By NRA Due Soon

WASHINGTON, March 14.—Hearings on revision of the legitimate theatre code this month will be marked by a demand by the consumers' advisory board of the NRA for drastic action on the ticket situation, it was learned today. It is understood a plan has been worked out for the creation of a central agency through which tickets would be distributed to the individual brokers.

Reports are also current that the board will demand absolute prohibition of all throwaways in the legitimate theatre field. Members of the board are said to feel it does not matter what the price of a ticket is, but that the theatre should not charge two dollars if a patron comes to the box office with some sort of a coupon and four dollars if he does not have one.

Warner Men Watch For Code Violation

PHILADELPHIA, March 14.—The local Warner Brothers managerial staff has become a vigilante committee to check on failure to observe code regulations in the territory.

Each manager, when a competitor seems to be violating any code regulations, turns in a regular form report to the home office.

New British Paper Out

First issue of the *British M. P. News,* edited by William H. Mooring, a former editor of *Bioscope,* has reached this country. It is a four-page paper, 17 in. x 11 in., printed on coated stock, with six half tone cuts.

In his foreword Mooring says the paper will be printed "every other week, and sometimes perhaps more often. We shall bring news and views."

Triple Bill Scare "Herring"—Golden

(*Continued from page* 1)

these machinations at once by revealing how few theatres actually were on a triple feature diet.

"This triple feature business is just drawing a red herring across the snow," Golden declared. "I will bet $1,000 there aren't 60 theatres in the country playing triple bills."

"That's tough on the herring," was the comment of a major distributor opposed to multi-feature bills, when apprised of Golden's statement.

In line with his determination to expose the triple feature fright for the fraud he believes it to be, Golden yesterday posted a letter to every Monogram exchange asking the manager to report to him at once the exact number of houses using triple features in each territory.

"The reports will prove that this triple feature talk is just propaganda against double features. They want to make out that every exhibitor who double features will soon find himself in a triple feature situation," Golden said.

"Stars of Tomorrow" In a Para. Trailer

Paramount has prepared "Stars of Tomorrow," a one-reel trailer designed to introduce new personalities now under contract and from whom the company expects much. The women are Kitty Carlisle, Dorothy Dell, Frances Drake, Barbara Frietchie, Ida Lupino, Helen Mack, Ethel Merman and Evelyn Venable. The men are Carl Brisson, Larry Crabbe, Lanny Ross and Henry Wilcoxson. While Paramount has made no decision as yet, the probability is the trailer will be released to theatres.

Ohio Chilly on Plan For Dillinger Film

COLUMBUS, March 14.—Ohio censors will give Paramount's proposed film on John Dillinger's escapades a cool reception, according to M. W. Van Sickel, chief of the board.

Schaefer in Detroit

DETROIT, March 14. — George Schaefer, Ralph A. Kohn, Sam Dembow, Jr., and Y. Frank Freeman arrived here today from New York for a meeting with George Trendle, Paramount theatre operating partner in Detroit. The home office group plans to confer with Trendle all day Thursday, leaving here in time to be back in New York Friday.

Acquit Cincinnati Man

CINCINNATI, March 14. — Nelson Corcoran, local man, charged with complicity in stench bombing Keith's Feb. 17, was acquitted by Judge Samuel W. Bell in Municipal Court. Three other local men, alleged to have been implicated in the bombing, are to be tried soon.

Cherrington in Hospital

COLUMBUS, March 14. — H. E. Cherrington, dramatic editor of the *Columbus Dispatch,* and secretary of the Columbus Variety Club, is in Grant Hospital recuperating from an abdominal operation.

Action on N. J. Sales Tax Bill Is Impending

TRENTON, March 14.—Both branches of the Legislature have adjourned for the week without taking action on legislation to which film and theatrical interests are opposed. Thus the measures are safe for another week, although increasing pressure has been brought to bear for their passage.

The general sales tax bill, imposing a two per cent tax on gross retail sales of services or commodities, is slated for consideration in two weeks. It is still in an Assembly committee, but leaders announced it would be considered next week and brought to a vote the following week. There is some question whether the measure could tax gross receipts of exhibitors and theatres, which already are subject to Federal levies.

The billboard tax legislation, Senate 98 and House 316, was not reported from committee, although its sponsors were active in the State House corridors. The bill changes the present billboard taxes, and should reduce the rate for most signs, but theatrical interests fear it may increase the levy on large boards and thus result in higher advertising rates. Indications are, sponsors of the measure will endeavor to slip it through late in the session when opposition would have no chance to block it.

Governor Moore is expected to act tomorrow on two bills, House 15 and 16, that concern the state industrial recovery act. Exhibitors see in the bills possibility of higher assessments for state code administration. Belief is the Governor will sign the measures, since they received Democratic support in both houses. The bills increase the powers of the state code administration and conceivably might impose upon exhibitors drastic regulations as to wages, hour of employes and assessments in addition to requirements of the NRA Federal codes.

MPTO Attacks N. Y. Legislative Bills

BUFFALO, March 14.—A concerted drive against legislation inimical to exhibitors is being arranged by Jules H. Michael, chairman of the western New York M.P.T.O., Michael has sent the following message to exhibitors:

"Drastic bills have been introduced in Albany, covering admission of minors under 16 years of age and a 10 per cent admission tax.

"When the word is flashed, every exhibitor in the state should contact his legislative representatives and Governor Lehman, opposing these measures, which, if passed, will assist in closing the doors of your theatre."

LOUISVILLE, March 14.—There is a bill in the Legislature to levy a tax of five cents on each 25 cents or fraction thereof on admissions.

M-G-M Contracts Four

HOLLYWOOD, March 14.—M-G-M has contracted Walter Donaldson and Gus Kahn, composers, and Robert Livingston and James Ellison, players.

"Wonder Bar" $21,000 Wow In Pittsburgh

PITTSBURGH, March 14.—The outstanding draw last week was "Wonder Bar" at the Stanley where a $21,000 gross gave the picture a holdover, the third picture in the history of this house to stay more than the customary six days.

In addition, the Pitt had an excellent week with "Fog" and Harry Delmar's "Revels" on the stage, with the latter getting most of the credit. Par was topped by $2,500 on an $8,500 week. "Moulin Rouge" was a disappointment at the Penn, getting less than $11,000. Incidentally, average fluctuates considerably at both the Penn and Stanley, depending upon whether there is a stage show.

At the Fulton, "Sons of the Desert" just managed to hit average at $4,000 while "Journal of a Crime," at the Warner, fell considerably below that at $3,700. The Davis, too, fared poorly with the third of its double feature bills, collecting only around $2,300 with "Easy to Love" and "Bombay Mail."

Total grosses in five first run houses were $50,500. Average is $37,500.

Estimated takings for the week ending March 10:

"EASY TO LOVE" (Warners)
"BOMBAY MAIL" (Univ.)
DAVIS—(1,700), 25c-35c, 6 days. **Gross:** $2,300. (Average, $2,500.)
"SONS OF THE DESERT" (M-G-M)
FULTON—(1,750), 15c-40c, 6 days. **Gross:** $4,000. (Average, $4,000.)
"MOULIN ROUGE" (U. A.)
PENN—(3,300), 25c-50c), 6 days. **Gross:** $11,000. (Average, $12,000.)
"WONDER BAR" (Warners)
STANLEY—(3,600), 25c-50c, 6 days. **Gross:** $21,000. (Average, $9,000.)
"FOG" (Col.)
PITT—(1,600), 15c-40c, 6 days. Stage: "Harry Delmar's Revels" with Harry Delmar, Manny King, Ray, Ellis and LaRue and Grace DeFaye. **Gross:** $8,500. (Average, $6,000.)
"JOURNAL OF A CRIME" (Warners)
WARNER—(2,000), 25c-50c, 6 days. **Gross:** $3,700. (Average, $5,000.)

"Rothschild" Opens With Leaders There

Executives prominent in the industry augmented a list of Broadway first-nighters at the opening of 20th Century's "The House of Rothschild" at the Astor last night.

Among those present were: Will H. Hays, Adolph Zukor, Al Lichtman, Colvin Brown, Joseph I. Schnitzer, Arthur W. Kelly, Joseph Moskowitz, Nate Blumberg, Moe Silver, Walter Reade, Billy Brandt, Si Seadler and Leo Lubin.

The opening was preceded by an effective exploitation campaign, the highlight of which was a tie-up with the *N. Y. Daily Mirror*, which is carrying a serialization of the story to run for 30 days, and which involved several full-page notices. News stands, trucks, department stores and other commercial enterprises also figured in the advance exploitation campaign.

Three More "Chans"

HOLLYWOOD, March 14.—Fox is continuing the "Charlie Chan" series next season with three features set for the 1934-35 program.

Dietrich-Nazi Feud End Seen in a Gift

BERLIN, March 14.—Much comment was created here today by an indication of a reconciliation between Nazi Germany and Marlene Dietrich when Carl Ousen, president of the newly organized Nazi National Film Chamber, announced that Miss Dietrich had contributed a "considerable sum" to the Chamber's welfare fund.

Although Miss Dietrich left Germany before the advent of the Nazi regime, it has been suspected that there has been trouble between her and the Nazis, particularly since the Nazi press expressed disapproval of the star's flair for trousers.

HOLLYWOOD, March 14. — Marlene Dietrich here today denied she had made any contribution to the Nazi party. She said that she had mailed a check for $500 to the so-called Winter Fund in Germany, to care for the children of the poor, and that she had mailed a similar amount to the Community Chest in Los Angeles.

Speculate on Nazi Reconstruction Move

Speculation was rife yesterday in New York over the effect, if any, on the film industry in Germany under the Nazi government decision to reconstruct all German industry into 12 major divisions. The official announcement of the sweeping plan made no specific mention of amusements of any description.

Academy Polling on Code Help Closes

HOLLYWOOD, March 14.—Polling was completed today by the writers', directors' and technicians' branches of the Academy for nominations requested by Division Administrator Sol A. Rosenblatt for possible service on code committees. Writers' nominees include Jack Cunningham, Howard Estabrook, Howard J. Green, Grover Jones, William McNutt, Jane Murfin, Robert Riskin, Ernst Vajda, Carey Wilson, Waldemar Young. Directors' nominees are Frank Capra, Cecil DeMille, William K. Howard, Frank Lloyd, King Vidor, W. S. Van Dyke. Technicians named Carl Dreher, J. M. Nickolaus, Max Parker, Karl Struss.

The actors' branch asked that the following be submitted to Rosenblatt: Lionel Atwill, Warner Baxter, Lionel Belmore, Alice Brady, Laura Hope Crews, William B. Davidson, Marie Dressler, Irene Dunne, Raymond Hatton, Helen Hayes, Del Henderson, Katharine Hepburn, Jean Hersholt, Walter Huston, George Irving, DeWitt Jennings, Henry Kolker, J. Farrell MacDonald, Warner Oland, Nance O'Neil, Elizabeth Patterson, Lewis Stone, Henry Walthall, Helen Ware.

Charles Giblyn Dead

HOLLYWOOD, March 14.—Charles Giblyn, pioneer director, died unexpectedly at his home here today in his 55th year. He is survived by his widow and two daughters. At one time he was director of the Ince studio. He was to have started at M-G-M today.

Strike Called Off

The strike, scheduled to start Monday, by the Theatre and Amusement Employes Union of Greater New York was called off yesterday.

Variety Club Gets Started in Buffalo

BUFFALO, March 14.—The Buffalo tent of the Variety Club was formally organized at a banquet at the Hotel Statler. Ninety-five barkers signed the charter.

Officers are: Dave Miller, Universal manager, president; Vincent R. McFaul, general manager Shea Theatres, first vice-president; Isaac R. Lounsberry, general manager Buffalo Broadcasting Corp., second vice-president; Herbert T. Silverberg, attorney, secretary; Sidney B. Pfeifer, attorney, treasurer.

Directors are: Jules H. Michael, chairman Buffalo zone, M.P.T.O.; Albert Becker, president National Theatre Supply Co.; Harry T. Dixon, manager RKO exchange; A. Charles Hayman, managing director Lafayette; Sidney Samson, manager Fox exchange; Murray Whiteman, song shop proprietor.

John J. Maloney of Pittsburgh, vice-president of the National Variety Club, explained the purposes of the organization and gave the pledge to the barkers. The charge to the officers was delivered by J. Edward Fontaine, president of the Cleveland tent. Other visitors were Dr. L. G. Beinhauer, treasurer of the Pittsburgh tent, and George A. Roberts, director of the Cleveland tent.

St. Louis Men Talk Auditorium Policy

ST. LOUIS, March 14.—Worried that the new Municipal Auditorium and Community Center may damage their business, a group of theatre men called upon Mayor Bernard F. Dickmann to get the lowdown on the city's policy on booking attractions.

The Mayor advised them that the present administration has no desire to enter into competition with dramatic, vaudeville or picture theatres, or to underbid other amusement places. He suggested that the group confer next week with James Darst, manager, and the Auditorium Commission on its booking policy and schedule of rates to be charged users of the building.

Vance Blames Block Sale for Criticism

CINCINNATI, March 14.—Willis Vance, president of the Ohio Valley Independent Exhibitors' League, has answered Archbishop McNicholas' criticism of pictures by saying that the 60 exhibitors associated with him would welcome an improvement in picture quality.

He takes a crack at block booking and says it is responsible for what some groups call "immoral and unwholesome" pictures. He ask that criticism be directed at "the major producing studios who are in charge of the themes and development of the cinema."

Aaron Saperstein Feted

CHICAGO, March 14.—Aaron Saperstein, president of Allied Theatres of Illinois, leaves this week for a two weeks' vacation at Hot Springs. He was tendered a testimonial dinner by the Allied organization and local film and theatre folks. Saperstein was recently elected to his fifth term as Allied president.

"One Night," $15,000 Hit, Tops Denver

DENVER, March 14.—"It Happened One Night" easily copped top honor for business, running 50 per cent above normal. Saturday business broke the house record, more than 400 being turned away, and 150 refunds being made to folks unable to secure seats. Sunday ran close to a house record.

Business has been unusual everywhere in Denver in most of the first runs this winter, due somewhat to the weather experienced. Less than half a dozen snowstorms marred the season, although three of these were on Saturdays. Snow was soon melted. Thermometer has not been to zero all winter.

Total first run business was $38,000. Average is $30,000.

Estimated takings for week ending March 8:

"BELOVED" (Univ.)
ALADDIN—(1,500), 25c-30c-40c, 7 days. **Gross:** $4,000. (Average, $3,500.)
"BOLERO" (Para.)
DENHAM—(1,500), 25c-30c-40c, 7 days. **Gross:** $7,000. (Average, $6,000.)
"NANA" (U. A.)
DENVER—(2,500), 25c-35c-50c, 7 days. **Gross:** $8,500. (Average, $7,500.)
"IT HAPPENED ONE NIGHT" (Col.)
ORPHEUM — (2,600), 25c-35c-40c-50c, days. Stage show. **Gross:** $15,000. (Average, $10,000.)
"SONS OF THE DESERT" (M-G-M)
PARAMOUNT—(2,000), 25c-40c, 3 days finish full week. **Gross:** $2,000.
"MASSACRE" (F. N.)
PARAMOUNT—(2,000), 25c-40c, 4 days. **Gross:** $1,500. (Average for week, $2,500.)

Guild Writers Must File All Contract

HOLLYWOOD, March 14.—Under the terms of the working agreement adopted by the Writers' Guild details of all members' term contracts and deals must be given to the executive board. This applies to present and future contracts, both term and week-to-week, and agreements for sale of material.

The board agrees to keep this material strictly confidential. Penalties up to $10,000 are provided for guild officials who give out confidential information. Free lancers are to be protected by insistence on lump sum with no more work on speculation.



The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 35. NO. 62 NEW YORK, FRIDAY, MARCH 16, 1934 TEN CENTS

Reels Are Hit By Curtailed Plane Service

hipments Running About 24 Hours Slower

Newsreel shipments by air express e running on an average of 24 hours hind normal delivery schedules as e result of suspension of a number schedules formerly operated by pri- te lines, but withdrawn following e cancellation of air mail contracts, was learned yesterday.

Loss of the government contracts ade it impractical for commercial rriers to maintain the frequent air press service formerly available as e volume of air cargo, exclusive of ail, was unprofitable. At present, express service has been reduced one trans-continental flight daily each direction. Intermediate serv-

(Continued on page 6)

rief Allowed Upon Para. Rent Dispute

The 1432 Broadway Corp. was en until March 21 to file a brief support of its claim of $521,000 ainst Paramount Publix at the con- sion of a hearing before Referee nry K. Davis yesterday. The im is for past and future rent on Empire, at 1,432 Broadway. At- neys for Paramount Publix trus- s in bankruptcy were given until

(Continued on page 6)

ara. Men Discuss Leases in Detroit

Detroit, March 15.—Discussion of revision of rentals on local leases sidered too high was revealed by rge W. Trendle today as the pur- e of the visit here of George aefer, Ralph A. Kohn, Sam Dem- w, Jr., and Y. Frank Freeman, Para- unt executives. The party left for icago by plane. From there all,

(Continued on page 6)

uthority Members Invited by MPTOA

. R. Kent, Charles L. O'Reilly, rge J. Schaefer, H. M. Warner, Ray Johnston, Nathan Yamins, H. Cochrane, M. H. Aylesworth N. M. Schenck, all members of Code Authority, have been invited attend the M.P.T.O.A. convention Los Angeles April 10-12.

pecial round trip railroad rates

(Continued on page 6)

Detroit Theatres Adopting Allied Plan to Lift Prices

Detroit, March 15.—Allied of Michigan is sponsoring a plan to raise admission prices in every theatre in this city. One hundred and twenty-five local houses have already signed the agreement. H. M. Richey, general manager of the organization, expects the remainder to do so soon. First runs will increase their prices from opening to 1 P. M. by 10 cents, maintaining present tops. Subsequents will raise scales five to 10 cents, depending upon the run.

Thirty theatres, including several Publix neighborhoods, will put the plan in operation Sunday, prior to its general adoption. In effect this means putting into operation the zoning and clearance plan sponsored by Allied last summer which proved a flop because it called for a ban on duals. The present plan is practically identical with the system now used in Chicago, basing run and protection on prices charged.

Ohio Showmen Impatient for Boards' Start

Cincinnati, March 15.—Exhibitors hereabouts are becoming impatient because of delays in getting the code boards into operation. Independents have a number of problems to be threshed out and they argue that the sooner the boards get under way, the better it will be for all concerned.

With the 10 per cent tax problem still acute, they say they have too many headaches and want a few of them out of the way.

The switch in the personnel of the clearance and zoning board which puts

(Continued on page 5)

Roxy London Plan Arouses Competition

BERNARD CHARMAN

London, March 15. — The plan of Samuel L. (Roxy) Rothafel to erect a big picture theatre in the West End of London has stirred up competition, it was learned today with announcement that a colossus was also being prepared by interests headed by Clifford Wheatley of the Gordon Hotels and Sir Malcolm McAlpine, British building contractor whose name originally was linked with Roxy's.

Rothaftel today made definite confirmation of his proposal to give this

(Continued on page 5)

Who? What? When?

Who are the latest appointees on code boards announced by Code Authority in New York on Tuesday?

These additional thumbnail sketches, gathered by Motion Picture Daily *correspondents and reported by telegraph yesterday, furnish the answer:*

Albany

Albany, March 15.—Shepherd Z. Baum, impartial member on grievances, was born in Memphis in 1903. He moved to Chicago at the age of nine and was educated in public schools in that city and in Memphis, followed by higher learning at Crane College and Chicago University. Baum also was a theological student at the Chicago Rabbinical Seminary.

In 1920 he moved to New York, attended the Rabbi Isaac Elchanan Theological Seminary, which is also known as Yeshiva College, and was ordained there in 1924. He also attended the New School for Social Research. He held his first rabbinical position as rabbi of Temple Ashkenaz at Cambridge, Mass., and was later transferred to the Congregation New Beth Israel at Syracuse, N. Y.

It was in 1927 that Baum moved to Albany, where he has been resident since. He was rabbi of the Congregation Sons of Abraham until December of last year, when he resigned to enter law. He had graduated from the Albany Law School in the meantime and was admitted to practice in 1931.

Baum was president of the Zionist

(Continued on page 5)

No Change at M-G-M; Rapf's Deal Renewed

Mannix Given Detail; Thalberg on Own

Hollywood, March 15.—Executive personnel at the M-G-M studio continues without change.

Harry Rapf has been given a new three-year contract as an associate producer on features and in charge of all shorts.

This is how Nicholas M. Schenck found and left the studio organization, following an extended visit here which had been preluded by rumors of shifts on the M-G-M front. Schenck left for New York last night in a party which included Edgar B. Hatrick, general manager of William Randolph Hearst's film interests, and William Randolph Hearst, Jr., and Mrs. Hearst.

Louis B. Mayer, as in the past, will continue in charge of studio control with Eddie Mannix likewise continuing as general studio manager in

(Continued on page 6)

Independents Watch Canada Probe Moves

Toronto, March 15. — Independent exhibitors have their ears tuned to the Federal investigation under Parliamentary sanction into price-fixing, trade-squeezing, so-called "mass buying" and other alleged activities of "big interests"—with which has been recommended the adoption of a code

(Continued on page 6)

Sales Tax, Censor Board Up in W. Va.

Charleston, West Va., March 15.—Exhibitors in this state have plenty to worry about.

Pending in the legislature are two tax bills, one to impose a straight two per cent sales tax throughout the state and the other a one per cent

(Continued on page 6)

Los Angeles Plans New Industry Taxes

Los Angeles, March 15.—Already faced with an approximate $15,000,000 increase in production, distribution and exhibition costs brought about by the NRA and the prospect of further wage increases if a 30-hour week is adopted, industry leaders here are now alarmed by a new tax bill before the City Council.

In an attempt to balance the city

(Continued on page 6)

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Arrivals from West

Lou B. Metzger arrived in town from the coast yesterday, preparatory to his departure for Europe on Wednesday to sell territory on "Elysia," nudist film.

Earl Kramer, former representative for U. A. in Japan, is also in New York, after a week in Hollywood.

Schenck Due Sunday

Nicholas M. Schenck, accompanied by E. B. Hatrick, Hearst representative, arrives in town Sunday morning, after an extended visit to Hollywood.

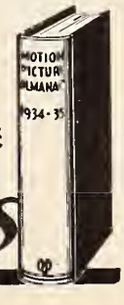
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Insiders' Outlook

PRESENT status of the law covering transfer of silent picture rights is still subject to argument in legal circles despite two recent rulings of the Court of Appeals in New York. Several months ago the New York Court of Appeals held in the case of Armstrong vs. Kirke LaShelle on "Alias, Jimmy Valentine" that sale of film rights prior to the advent of sound did not carry with it sound rights because neither party could have contemplated this when the pact was made. This was a reversal of a lower court decision. . . .

▼

A few days ago the Court of Appeals affirmed a Supreme Court ruling that transfer of both the stage and dramatic rights and silent film rights on "The Volga Boatman" carried with it everything essential to sound production. This was the case of Bercovici vs. DeMille. In the first case it was a long decision; in the second it was an affirmation of a lower court ruling. . . .

▼

Pending at the present time in California is Sol Lesser's suit against Harold Bell Wright over the talker rights to "When a Man's a Man." Lesser contends his purchase of the silent film rights entitles him to produce it as a sound film. This point seems to have been covered insofar as New York is concerned by the decision in the Valentine case. The entire issue, therefore, is not as clear cut as first appeared. Its ultimate clarification, either way, is subject to much comment in view of the fortunes spent annually on accumulation of properties for each succeeding season, a process in which all of the majors currently find themselves knee deep or more. . . .

▼

Even some of Charlie Moskowitz's best friends won't tell him why they object to his appointment to the local clearance and zoning board. . . . "They" do say New York clearance schedules are slated for a complete upset when the local boards get under way and that Loew will be the chief victim. . . . One major distributor faces a suit as a result of a crack he made against a national theatre operator at one of the authority sessions. . . There's an interesting story behind Morgan Walsh's reinstatement to the San Francisco board after his name was vehemently objected to by a certain distributor. . . . You'd better get the inside from one who'll talk. . . .

▼

Any assents hitting Code Authority headquarters dated after March 10 will be void. That makes it interesting to note that the I.T.O.A. having several of its members, including Harry Brandt and William Landau, pretty well set for code boards posts, will not be represented. None of its members has signed the assent form. Having failed to so do, the I.T.O.A. objections to appointment of Lou Geller on the ground he is a partner of Charlie O'Reilly seemingly won't get very far. . . . Skouras and the Warners, theatre foes in many fronts, are at it again. This time the place is Jersey City, and the subject duals, which both circuits have brought back with ceremony after a layoff. Skouras at the State; Warners at the Stanley, which this week enjoys a respite playing "Wonder Bar"

(*Continued on page 6*)

Majority Weaken on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	27⅜	26¼	26⅝	+ ⅛	12,000
Consolidated Film Industries	4⅝	4⅜	4⅜	— ¼	400
Consolidated Film Industries, pfd	16⅜	16⅛	16⅜	— ⅛	300
Eastman Kodak	89⅛	88½	88½	— ¾	200
Fox Film "A"	16¼	15¾	16	+ ⅜	2,700
Loew's, Inc.	32⅞	31¼	32⅛	— ⅝	4,100
M-G-M, pfd.	24	24	24	.....	100
Paramount, cts.	5⅜	5	5¼	.....	12,800
Pathe Exchange	3½	3¼	3¼	— ⅜	3,800
Pathe Exchange "A"	19	17⅝	18¼	— ¾	2,900
RKO	3⅞	3½	3½	— ⅛	2,400
Universal Pictures, pfd	33	33	33	.....	2,000
Warner Bros.	7	6⅝	6¾	— ¼	5,000

Columbia Declines 2 on Curb

	High	Low	Close	Net Change	Sales
Columbia Pictures	27	27	27	—2	100
Technicolor	9¼	9	9¼	— ⅛	400
Trans Lux	2⅛	2⅛	2⅛	.....	200

Warner Bonds Slip 1¼ Points

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	11	10¼	10¼	+ ¼	54
General Theatre Equipment 6s '40, ctf	10	9½	9½	.....	154
Loew's 6s '41, ww deb rights	98½	98½	98½	+ ½	12
Paramount Broadway 5½s '51	34¾	33⅛	33⅛	— ⅜	19
Paramount F. L. 6s '47	50	49¼	49¼	+ ¼	62
Paramount Publix 5½s '50	50	49	49½	+ ½	55
Pathe 7s '37, ww	93¾	93¾	93¾	.....	2
Warner Bros. 6s '39, wd	58¼	56	56¾	—1¼	15

Purely Personal

LOUIS K. SIDNEY, CHARLES MOSKOWITZ, SI SEADLER, JOSEPH VOGEL, LEOPOLD FRIEDMAN, LEO LUBIN, H. J. YATES, GEORGE DEMBOW, HARRY BUCKLEY and GEORGE FITZMAURICE among the noonday diners at the M. P. Club yesterday.

BETTY FURNESS ended her New York vacation yesterday by starting back to the coast. She has some more work to do for Monogram.

THE RICHARD ARLENS sail tomorrow on the *Majestic* on a European vacation.

ROGER PRYOR has replaced GEORGE RAFT as MAE WEST'S leading man in "It Ain't No Sin."

BEN POLLOCK and his orchestra start work today in a Vitaphone short.

BILL DANZIGER is in town from the coast.

BOB RUBIN'S license plate is R R-8.

David Poucher Dies In Automobile Skid

The picture industry was shocked yesterday to learn that David I. Poucher, 53, long in the business, had been killed the preceding afternoon in an automobile accident. Driving to his home in Queens late Wednesday afternoon his car skidded, ran up an embankment, struck a post and overturned. The car was demolished and he was killed instantly.

Poucher recently had been associated with Duke Ellington and Freuler Film Associates, Inc. He entered the industry 20 years ago with Mutual Film, of which he later became treasurer. He was treasurer of F. B. O. in later years.

He is survived by a widow, three children and two brothers, one of whom is Ralph Poucher of Consolidated Film Industries. Funeral services will be held tonight at the Fairchild Funeral Parlors, 898-31 164th St., Jamaica, L. I., with private interment tomorrow.

Pre-Sailing Conference

HOLLYWOOD, March 15.—Jack L. Warner left suddenly for New York last night to confer with his brother Harry, prior to the latter's European trip which starts shortly. He returns here immediately to be on hand for the M. P. T. O. A. convention next month.

Harry M. Warner's original plan of sailing from New York tomorrow stands, his office stated yesterday. Unless Jack L. travels part of the east by air, he cannot arrive here until Sunday morning.

Pettijohn at Capital

WASHINGTON, March 15.—Charles C. Pettijohn, general attorney of the Hays association, is here from New York for a few days.

Rowland in Hollywood

HOLLYWOOD, March 15.—Richard A. Rowland is here from New York.

Compare

the negative and the positive of her photograph and you'll have a graphic idea of the difference between past successes of this famous star and her latest show from Warner Bros. . . . .



Positively

the most exciting story and performance ever contributed to the screen for and by the exciting star of "Burlesque," "Illicit," and "Night Nurse".



WITH

JOEL M'CREA

PAT O'BRIEN

Claire Dodd, C. Aubrey Smith, Phillip Reed. Directed by Archie Mayo. Vitagraph, Inc., Distributors.

BARBARA STANWYCK in "GAMBLING LADY"

Next sensation from the producers of "Wonder Bar," "As The Earth Turns," "Fashions of 1934" and "Mandalay"

WARNER BROS.

Ohio Showmen Impatient for Boards' Start

(*Continued from page 1*)

W. A. Keys in J. Real Neth's place is generally approved. Under this shift Keys becomes the unaffiliated first run member and Neth becomes unaffiliated subsequent run member.

Comments on the naming of Irvin Rosenbaum and Joseph Marx as impartial members of the grievance and clearance and zoning boards, respectively, is impersonal. Many wonder whether their lack of familiarity with the business will be a handicap. Some feel this will be a help in reaching just decisions on controversial problems. Most commentators are pleased that the appointments have been made, as they regard it as a step nearer to actual operation of the boards.

Frisco Operators' Pay Scales Revised

SAN FRANCISCO, March 15.—The long standing dispute between independent theatres and operators has been settled, according to F. M. Billingsby, vice-president of the union, and a committee from the Theatre Owners' Chamber of Commerce, comprising Robert McNeill, George Nasser, Ben Levin and Aaron Goldberg.

The settlement is a compromise. Operators receive an increase of from 15 to 18 per cent of their present wage scale. The present wage is $54 per week. The new wage will approximate $63 per week. This, however, is still short of the $84.60 which operators had before the depression, and which they had asked.

The settlement does not affect operators employed by major circuits, who are working under a special agreement.

First Board Refusal Sent by Allied Man

First official instance of an Allied member turning down a post on a local zoning board because his unit refused to sign the compliance form was made known yesterday by Code Authority. The exhibitor is Fred Holzapfel of Minneapolis.

When informed by the authority he was being considered for a post on the Minneapolis clearance and zoning board and that his unqualified assent was necessary before he could be eligible, Holzapfel wrote back that he was in sympathy with his unit and would not sign the assent form.

Wittenberg Code Counsel

Philip Wittenberg has been named special counsel of the legitimate theatre code authority, to work on a redraft of the theatre code and formulate plans for control of ticket brokers.

"C. A." Meets March 22

Because Division Administrator Sol A. Rosenblatt has another meeting scheduled for next Wednesday, Code Authority will meet on Thursday, March 22, instead. The session will get under way at 10 A.M.

Who? What? When?

(*Continued from page 1*)

Organization of Albany from 1928 to 1932. He is now a member of the national executive committee of the American Jewish Congress representing Albany, and of the Zionist Organization of America. He is also at present president of the Hudson Valley Zionist Region. president of the Jewish Community Center here and a member of the executive committee and of the Rabbinical Council of the Union of Orthodox Jewish Congregations of America. Baum was former chairman of the Rabbinical Association of Yeshiva College and of the Federation of Orthodox Congregations of the capitol district of New York.

Boston

BOSTON, March 15.—GEORGE R. FARNUM, impartial member on grievances, is a native of Melrose, a suburb of Boston. He graduated from local schools there, attended Boston University and its law school.

Farnum established his reputation in these parts as a trial lawyer and entered the service of the government as an assistant attorney general under President Harding, continuing in that office during part of the Coolidge Administration. He later resigned to resume the private practice of law here and is now a resident of Boston.

Cincinnati

CINCINNATI, March 15.—IRWIN S. ROSENBAUM, impartial member on grievances, is a native son and was born here on Nov. 21, 1901. He is a lawyer, who received his A. B. degree at the University of Cincinnati in 1920 and his LL.B from the Harvard Law School four years later.

Rosenbaum spent one year in research at the Harvard Business School and has been practicing before the local bar for about 10 years. He is unmarried and the author of numerous works on the legal and economic phases of public utilities and a contributing editor to *Ohio Jurisprudence*, published by the Lawyers' Cooperative Publishing Co. of Rochester, N. Y. He has had no experience in the film industry.

Cleveland

CLEVELAND, March 15.—JEROME FRIEDLANDER, impartial member of clearance and zoning board, is a young attorney who specializes in business law. A native of Cleveland, he attended the local public schools and for one year attended Case School of Applied Science, planning an engineering course. He soon discovered his greater interest lay in the legal profession and so switched. In 1921 he was graduated from the law school of Baldwin Wallace College, and has practiced law in Cleveland ever since that time.

From 1923 to 1926 he was the legal representative for the Building Contractors' Exchange, and, for a time, edited the local *Builders' Magazine*. Friedlander has no experience in the industry.

Detroit

DETROIT, March 15. — KENNETH WEBER, impartial member on grievances, is 33 and was born at Brighton. Mich., where he attended grade school and two years in high school. He came to Detroit, completing his high school course at Central. Later he entered Detroit College of Law and switched to the University of Detroit Law School, from which he graduated in 1922, after which he entered private practice.

In 1925 he entered practice at Howell, Mich., with Francis J. Shields, brother of Edmund C. Shields, present public works administrator.

The next year he returned to Detroit and promoted the Michigan Broadcasting Co., which established Station WMBC. He was vice-president of the organization.

He remained in private practice until 1929, when he was appointed assistant prosecuting attorney by James E. Chenot, now circuit judge. In 1931 Weber returned to private practice and was special counsel for the Federal Radio Commission. He is single, never has had any association with the film or theatre business, and is a member of Delta Theta Pi, legal fraternity.

HARRY A. HARRINGTON, impartial member on clearance and zoning, is 68, and was born in New York, where he attended Sacred Heart Academy, later going to Magill College, Montreal, and graduating with a law degree in 1887. Returning to New York, he entered the legal section of a real estate business. Five years later his father died, whereupon Harrington spent three years traveling in Europe, after which he went to Pittsburgh, where he saw service with the King Construction Co. as paymaster. His next move was to Buffalo, where he was associated with another construction company and then with the Thorne Cement Co.

Sent to eastern Canada because of his knowledge of French, he remained with his firm until it was taken over by the Canada Cement Co., which was organized by Lord Beaverbrook. He then became manager of the coal division of the Retail Merchants' Ass'n of Canada. During the war he served as fuel controller for Ontario.

In 1921 Harrington came to Detroit in his present capacity, as assistant secretary of the Board of Commerce and secretary of the arbitration committee of that organization.

He is married and has two sons.

Compromise to End St. Louis Dispute

WASHINGTON, March 15. — Conditions for the settlement of the St. Louis labor controversy were decided upon today at a meeting between Division Administrator Sol A. Rosenblatt and Fred Wehrenberg of the M.P.T.O. of Western Illinois and Eastern Missouri and Oscar Lehn of the St. Louis Exhibitors' Ass'n.

Hearings initiated by Rosenblatt in a review of the local decision were suspended in order that an amicable settlement might be sought. At the conference exhibitor representatives announced their voluntary agreement to give back pay to Sept. 1, amounting, it is estimated, to between $17,000 and $18,000. A new agreement has been worked out to become effective March 24.

Roxy London Plan Arouses Competition

(*Continued from page 1*)

city a theatre to vie with American houses like the Music Hall and Roxy in New York. He did not specify the site, nor did he divulge the promoters, emphatically disavowing any association with the project of the Wheatley-McAlpine group.

The house, on which construction is expected to start this year, will have 6,000 seats and charge an average admission of 75 cents, as compared with the $2 top prevailing at present at West End houses. A stage show, with ballet and symphony orchestra supplementing the screen entertainment, is contemplated by Rothafel. Films will be chosen from British and American product.

Rothafel, who sails for America tonight aboard the *Manhattan* with the promise of returning to England later, asserts the house will be "the finest in the world."

Sees U. S. Talent Aid To European Studios

A great advantage can be derived by the industry in Europe, in England particularly, by creating a wider field for American talent abroad, it was said yesterday by Frank Joyce of Joyce-Selznick, just back from a seven-month European trip. The Hollywood agent said that by putting American players of box-office strength in their productions on a royalty basis the producers in England and on the Continent would find it easier to make money with their product in this country. He declared the practice of exchanging talent would aid the industry on both sides of the Atlantic.

Joyce said he had signed considerable talent while abroad, including Elizabeth Bergner and Flora Robson, both of the cast of "Catherine the Great," as well as Douglas Fairbanks, Jr., whom he said, will be presented in a play yet to be completed, with a 12-week run in New York to follow a similar run in London.

Comedy talent was found by Joyce to be in chief demand in Europe. He declared his firm had decided to adopt a policy of "fewer and better" clients.

Para. Distributing Two Trailers Gratis

Paramount is distributing gratis to all its accounts two trailers, one announcing seven new releases and the other heralding a group of new players being groomed for star billing.

The "lucky seven trailer" announces details on "Bolero," "Death Takes a Holiday," "The Trumpet Blows," "It Ain't No Sin," "Scarlet Empress," "We're Not Dressing" and "You're Telling Me."

The "new personality list" includes shots of Buster Crabbe, Evelyn Venable, Frances Drake, Ethel Merman, Toby Wing, Ida Lupino, Carl Brisson, Kitty Carlisle, Dorothy Dell, Barbara Frietchie, Helen Mack, Lanny Ross and Henry Wilcoxson.

No Change at M-G-M; Rapf's Deal Renewed

(*Continued from page* 1)

charge of all production. All associate producers and supervisors will take up their problems directly with Mannix with the exception of Irving G. Thalberg who stands in a division by himself.

The inference is Thalberg is to be kept clear of detail in order to concentrate on the pictures he himself will make. Prior to his illness and his long recuperative trip in Europe, Thalberg handled production and it was to him that associate producers and supervisors formerly took their problems.

Brief Allowed Upon Para. Rent Dispute

(*Continued from page* 1)

March 27 to file a reply to the claimants' brief.

A hearing on the Chippewa Theatres claim of $2,500,000, scheduled for yesterday, was postponed to March 21. The claim is for past and future rent on the Great Lakes Theatres, Buffalo. An adjourned special meeting of Paramount Publix creditors to consider a settlement of counter claims of Paramount and Fox Film Corp. arising from lease agreements on Oakland, Cal., theatres, which was scheduled for yesterday, was postponed to March 19 by Referee Davis.

Para. Men Discuss Leases in Detroit

(*Continued from page* 1)

with the exception of Kohn, who returns directly to New York, will go to Boston. No change in the company's setup here will result from the visit, it was said.

Ralph Kohn got back in town yesterday. He refused to comment on his visit to Detroit with his fellow Paramount executives.

Authority Members Invited by MPTOA

(*Continued from page* 1)

have been secured by the organization whereby the rate from New York will be $123.46; from Chicago, $88.75; from New Orleans, $78.45. Corresponding low rates from other sections of the country also have been arranged.

The official special trains will run out of Chicago over the Rock Island lines and from New Orleans over Southern Pacific.

To Build Up Pier Exhibit

Additions are to be made to the film and studio exhibit on the Atlantic City Steel Pier this year. It was established several years ago by Eddie Corcoran of the Paramount exploitation department. Burling Jarrett is now on the coast contacting studios to get gowns, props, wax figures and photographs for the exhibit.

Los Angeles Plans New Industry Taxes

(*Continued from page* 1)

budget, the proposed ordinance, disguised as permit and fire protection charges, would impose levies over and above licenses and taxes now being paid.

Among the proposals are assessments as follows: Film and storage vaults carrying in excess of 25 feet of film, $3 yearly; wholesale warehouses, $25; film laboratories, of which there are 10 in the city, $150; each wagon and truck delivering film inside the city limits, $2 per year; each wagon collecting scrap and waste film, $25; a $40 average fee for 216 theatres in the city.

A protest was voiced in behalf of the industry yesterday by W. H. Lollier, F.W.C. tax manager, who argued before the special license committee of the council that theatres are already bearing more taxation than they can stand. He will meet the Producers' Ass'n. tomorrow to discuss the problem.

Tax Situation Is Confused in Ohio

COLUMBUS, March 15.—Due to constant bickering in the Legislature over the tax question, present forecast is that the matter still will be unsolved when the solons adjourn.

Strenuous opposition to the proposed three per cent general sales tax by groups allied with retail and commercial lines is becoming stronger. Governor White, who heretofore has expressed himself as strongly in favor of the measure, has assumed a sideline position, and is not goading the members into action, as had been expected.

It is on the passage of a general sales tax, or an equivalent which will produce the desired revenue, that exhibitors are pinning their hopes of effecting repeal of the 10 per cent amusement tax.

KANSAS CITY, March 15.—Dr. A. Ross Hill, nominated in the primary as Citizens' party candidate for mayor of Kansas City, is known as an advocate of high state taxation on theatre admissions. As head of the taxation committee of the Real Estate Board for the last 10 years he has been attempting to get such a tax law through the legislature to relieve the burden on real estate. His efforts have been opposed by the industry.

Mayor Bryce B. Smith, Democratic candidate for a second term, is considered friendly to the industry.

Byron Spencer, candidate on the Democratic ticket for councilman in the second district, is a member of the law firm of Langworthy, Spencer & Terrell, co-attorneys for the trustee of Fox Rocky Mountain Theatre Co. The run-off election is March 17.

Sales Tax, Censor Board Up in W. Va.

(*Continued from page* 1)

sales tax with an optional clause permitting cities and towns to decide whether it shall be imposed.

A third bill affecting the industry provides for creation of a censorship board to pass on advertising as well as pictures.

Reels Are Hit By Curtailed Plane Service

(*Continued from page* 1)

ice is reported to be correspondingly curtailed and many lines have been suspended in entirety.

The 24-hour average delay in newsreel shipments to exchanges and theatres is contributed to by both incoming air express service carrying clips from cameramen stationed at distant points to the newsreel editors, and the outgoing service taking the finished reels to exchange centers, it was said.

Use of the air mail for newsreel shipments, instead of the air express service operated by private lines, is impractical from the standpoint of expense and offers little assurance of time-saving, in any event, according to newsreel representatives. Where private lines were willing, for business reasons, to take chances on the weather in sending planes through, the new flying policy of the Army Air Corps is a conservative one, it was pointed out. The Administration is insisting on safety operation following recent casualties among army pilots, who also lack the business incentive to take chances in bad weather, it was said. Except in favorable flying weather, few planes are going through, despite the fact that the same number of planes are available now as there were under commercial operation, according to newsreel representatives.

Cooperating with Newsreels

Some private lines operating air express are cooperating with newsreels by wiring them immediately when planes carrying reels are grounded en route. In this way the stranded shipments are recovered by motor and train and sent on their way again with a minimum loss of time. The only newsreel shipment to come through in good time in recent weeks is said to have been the clips of the Manchurian coronation, which made the trans-Pacific and transcontinental trip to New York in 12 days. Transport and weather "breaks" favored the shipment throughout, it was said.

Payrolls sent air mail from New York to exchange and theatre employes are meeting with comparable delays. Numerous complaints to home offices from out of town employes have resulted.

Magazine Ads Ruled Out of Missouri Tax

JEFFERSON CITY, Mo., March 15.—Advertising in periodicals and magazines, except in special cases, does not come under the one-half of one per cent state sales tax, according to a ruling by the attorney general's office. It was pointed out that magazine advertising differs from newspaper advertising, which is taxable, and only those publications carrying news are subject to tax. Each periodical will be considered separately in order to determine whether returns should be made on advertising receipts.

Insiders' Outlook

(*Continued from page* 2)

solo as the State doubles "Spitfire" and "Six of a Kind." . . .

▼

The Warner theatre holdings in Jersey run to $32,000,000, if you are interested in investment notes. . . . Sylvester Harris, the colored gentleman who called the President to save his Mississippi farm, is a riot in the Metrotone Newsreel and worth anybody's two bits. . . . The Navajo Council is peeved because Mexicans, Hawaiians, Chinese, et al simulate them in pictures and want something done about it. Looks like an added job for Code Authority. . . . If, say many employes privately and some executives not so privately, business is so good and profit statements in several directions indicate it is, what about restoration of salary cuts? . . . KANN

Independents Watch Canada Probe Moves

(*Continued from page* 1)

system such as the NRA in the United States.

The theatre situation in Canada has been drawn into the inquiry because of references to low wages to certain theatre employes and monopolistic control, as well as apparent difficulties of small proprietors.

More or less of a formal communication has been forwarded to H. H. Stevens, Federal minister of Trade and Commerce, by William Brady, proprietor of the Madison, and one of the leaders among the organized independent theatre owners, commending Stevens on his crusade in behalf of the "little fellows" and urging definite action. There is a possibility that Brady will be called upon to give evidence before the committee.

Biechele New KMTA Secretary-Treasurer

KANSAS CITY, March 15.—Directors of the K.M.T.A. today elected R. R. Biechele, well known locally and nationally as an exhibitor, secretary-treasurer, preliminary to launching a membership drive and a public relations campaign. The association also plans a convention to be held shortly.

Re-Signs Two

HOLLYWOOD, March 15.—M-G-M has given new contracts to Jean Hersholt and Johnny Weismuller. Hersholt will soon go east for a vacation. Weismuller's next will be another "Tarzan" story.

Roxy Pares Admission

Admission at the Roxy between 1 P.M. to 6 P.M. on Saturdays, Sundays and Holidays has been pared 15 cents and is now 50 cents.

Chatkin Visiting

David J. Chatkin, of Monarch Theatres, is in New York from Cleveland.





DIRECTIONS:
Set up 3-sheet in lobby, with tack card as illustrated. Affix pencil on string from each side.

SHOWMEN! HERE'S A GREAT LOBBY IDEA!

And it's FREE! Get this 3-sheet from your M-G-M Exchange today. Keep it in your lobby right up to opening of "RIPTIDE." You can't begin too early to get your patrons excited about this important film event!

Philadelphia Gives "Nana" $12,000 Take

PHILADELPHIA, March 15.—"Nana" played to good business, $12,000, at the Aldine last week, reaping the benefits of the extensive Anna Sten campaign waged here. Opening week figure was $12,500. Film looks good for three weeks.

With the aid of the Carnera-Loughran fight pictures, "Devil Tiger" and the "First Little Show" cheered up the Fox with $18,000 on the week. "Hips, Hips, Hooray" dragged $16,000 into the Earle, a good figure, and "Dinner at Eight" got a good third run showing at the Arcadia.

Total first run business was $90,000. Average is $78,300.

Estimated takings for the week ending March 8:

"NANA" (U. A.)
ALDINE—(1,500), 40c-55c-65c, 6 days. **Gross:** $12,500. (Average, $7,000.)

"DINNER AT 8" (M-G-M)
ARCADIA—(600), 25c-40c-50c, 7 days. (2nd run.) **Gross:** $3,300. (Average, 6 days, $2,400.)

"JOURNAL OF A CRIME" (Warners)
BOYD—(2,400), 40c-55c-65c, 6 days. **Gross:** $9,000. (Average, $12,000.)

"HIPS, HIPS, HOORAY" (Radio)
EARLE—(2,000), 40c-55c-65c, 6 days. Stage: Alex Hyde and his Orchestra; Lou Parker, LaVere and O'Brien, Harris Twins and Loretta. **Gross:** $16,000. (Average, $12,000.)

"DEVIL TIGER" (Fox)
FOX—(3,000), 30c-40c-60c, 6 days. Stage show with "First Little Show." Also Carnera-Loughran films. **Gross:** $18,000. (Average, $12,000.)

"YOU CAN'T BUY EVERYTHING" (M-G-M)
KARLTON—(1,000), 30c-40c-50c, 6 days. **Gross:** $3,000. (Average, $3,500.)

Retort Courteous

Hollywood, March 15.—The other day this item appeared in the "personals" of one of the morning papers:

Who invited me to a party Thursday night? I've forgotten.

Signed—Edgar Allen Woolf

The following day this item appeared:

We did, but we don't want you now.

Signed—Guess Who

"HOLD THAT GIRL" (Fox)
KEITH's—(2,000), 25c-35c-40c, 6 days. Stage show with 16 Ingenues. **Gross:** $6,700. (Average, $7,000.)

"IT HAPPENED ONE NIGHT" (Col.)
STANLEY—(3,700), 40c-55c-65c, 5 days. (2nd week.) **Gross:** $10,000. (Average, $12,000.)

"THIS SIDE OF HEAVEN" (M-G-M)
STANTON—(1,700), 30c-40c-55c, 6 days. **Gross:** $7,000. (Average, $7,000.)

"SIN OF NORA MORAN" (Majestic)
WALNUT—(1,500), 25c-50c, 6 days. Stage: "Montmartre Madness" revue. **Gross:** $4,500. (Average, $5,000.)

Rowland Set for Two

HOLLYWOOD, March 15.—William Rowland's final agreement with Columbia calls for two features to be produced under his supervision here. The first will go into production around April 5. It is the Kern-Hammerstein musical comedy, "Sweet Adeline" with a tentative cast of Helen Morgan, Charles Butterworth and James Dunn. His second picture will be "New York Town," an original.

"One Night" $12,700 Hit On the Coast

LOS ANGELES, March 15.—Big money in this territory went to "It Happened One Night" last week at the RKO. The $12,700 gross was $4,700 over average.

"Nana" was a bit of a disappointment at the United Artists. The $10,250 take was well below normal. "No More Women" was strong at $18,115 at the Paramount with Guy Lombardo and his Canadians on the stage. "Queen Christina" took $15,450 in its fourth week at the Chinese.

Total first run business was $95,265. Average is $106,950.

Estimated takings for the week ending March 7:

"QUEEN CHRISTINA" (M-G-M)
CHINESE—(2,500), 50c-$1.10, 4th week, 7 days. Sid Grauman prologue. **Gross:** $15,450. (Average, $14,000.)

"LOVE IN MOROCCO" (Gaumont-British)
FILMARTE — (800), 40c-50c, 7 days. **Gross:** $1,850. (Average, $2,650.)

"DEVIL TIGER" (Fox)
4 STAR—(900), 50c-75c, 2nd week, 7 days. **Gross:** $3,900. (Average, $4,500.)

"CAT AND THE FIDDLE" (M-G-M)
LOEW'S STATE—(2,413), 25c-40c, 7 days. **Gross:** $11,800. (Average, $14,000.)

"YOU CAN'T BUY EVERYTHING" (M-G-M)

"SLEEPERS EAST" (Fox)
PANTAGES — (4,000), 25c-40c, 7 days. **Gross:** $2,200. (Average, $7,000.)

"NO MORE WOMEN" (Para.)
PARAMOUNT—(3,595), 25c-40c, 7 days. Stage: Guy Lombardo and his Royal Canadians. **Gross:** $18,115. (Average, $18,000.)

"IT HAPPENED ONE NIGHT" (Col.)
RKO—(2,700), 25c-40c, 7 days. **Gross:** $12,700. (Average, $8,000.)

"NANA" (U. A.)
UNITED ARTISTS—(2,100), 25c-40c, 7 days. **Gross:** $10,250. (Average, $12,800.)

"MANDALAY" (F. N.)
WARNER BROS. (HOLLYWOOD)—(3,000), 25c-40c, 7 days. **Gross:** $10,000. (Average, $14,000.)

"MANDALAY" (F. N.)
WARNER BROS. (DOWNTOWN)—(3,400), 25c-40c, 7 days. **Gross:** $9,000. (Average, $12,000.)

"One Night" Hits Record in Buffalo

BUFFALO, March 15.—"It Happened One Night" played to a new high total of customers at the Lafayette and grossed $16,700, or $10,200 over normal for the first holdover in three years in that house. Other houses felt the draft. The Century benefited some, though, catching the nightly overflow from the neighboring house.

Total take was $48,000. Normal is $45,500.

Estimated takings for the week ending March 9:

"BOLERO" (Para.)
BUFFALO—(3,500), 30c-55c, 7 days. Stage: Nell Kelly; Ray Sax; Six Danwills; Dolly Arden. **Gross:** $14,000. (Average, $15,000.)

"WOMEN IN HIS LIFE" (M-G-M)
"HOLD THAT GIRL" (Fox)
CENTURY—(3,000), 25c, 7 days. **Gross:** $5,200. (Average, $6,000.)

"I AM SUZANNE" (Fox)
"SEARCH FOR BEAUTY" (Para.)
GREAT LAKES—(3,000), 25c-40c, 7 days. **Gross:** $6,100. (Average, $10,000.)

"EIGHT GIRLS IN A BOAT" (Para.)
"THE MEANEST GAL IN TOWN" (Radio)
HIPPODROME—(2,100), 25c-35c, 7 days. **Gross:** $6,000. (Average, $8,000.)

"IT HAPPENED ONE NIGHT" (Col.)
"BEFORE MIDNIGHT" (Col.)
LAFAYETTE—(3,000), 25c, 7 days. **Gross:** $16,700. (Average, $6,500.)

Cincinnati

CINCINNATI, March 15.—A new membership classification has been established to be known as the non-active resident membership. This will include applicants who maintain a local residence, but, on account of prolonged absence from the city through traveling or other reasons, will only occasionally be able to avail themselves of club privileges and facilities. A reduction in dues has been arranged for this class of members, although the initiation fee remains unchanged.

Hereafter "open house" will be maintained once a month, at which guests will be privileged to bring male guests.

Recent elections to resident membership include: RALPH ("BUSTER") THAYER, of the Ross-Federal Checking Service; CHARLES FINE, Empire Theatre; S. L. ("DICK") MARTIN, Columbia Amusement Co., Ashland, Ky.; JACK STALLINGS, National Theatre Supply Co.; JIM GRADY, Fox, and IRVING HANOWER, Columbia.

J. REAL and LAWRENCE BURNS of the Columbia tent; GEORGE ROBINSON, prominent in club activities, and E. J. MEYERS, of the Majestic, Chillicothe, were among recent visitors.

ERVIN BOCK, skipper of the RKO Grand, may spring a surprise on his fellow barkers some of these days when least expected. At any rate, grapevine information is to the effect that wedding bells may ring soon. Thus far, it is a secret.

FRANK W. ("WES.") HUSS is making frequent trips to Columbus these days on account of matters connected with the Independent Theatre Owners. He recently was appointed to the legislative committee.

Variety Club Chatter

NOAH SCHECTER, head of the entertainment committee says he expects to do some big things for the amusement of fellow barkers, as soon as St. Patrick's Day is off the calendar.

Columbus

COLUMBUS, March 15.—Barker VIRGIL JACKSON of the Picadilly and Wilmar was presented with a third son by MRS. JACKSON the other day at Mt. Carmel Hospital. Another member in good standing for the club.

Barker H. E. CHERRINGTON, dramatic critic of the *Columbus Dispatch*, was operated on at Grant Hospital during the week. He is resting comfortably, but it will be five or six weeks before he's back on the job.

Barker HAROLD ECKERT, dramatic critic of the *Ohio State Journal* is back on the main stem again after a most enjoyable vacation making his annual rounds of the New York houses.

Chief Barker DUKE CLARK, branch manager for Paramount, is back on the job after two weeks' illness with influenza, 15 pounds lighter in weight, which will have to be replaced by LEO HAENLEIN's cold cuts.

The committee, headed by Barker LEO HAENLEIN of Olentangy Park is working for expansion of club quarters with a complete remodeling and redecoration in the offing.

Detroit

DETROIT, March 15.—Barkers FRANK DOWNEY and MAURICE CAPLAN were in charge of this week's luncheon and hung up a mark for the future "kings for a day" to shoot at. They put on a championship day, with the championship Red Wings hockey team members and Coach HARRY KIPKE of the University of Michigan football team, as guests of honor. The luncheon room was decorated with hockey and football pennants. Miniature goal posts and a hockey goal were at either side of the speakers' tables. Door prizes for the day, a hockey stick autographed by the Red Wings players, and a football autographed by KIPKE and some of the Michigan gridders were won by MAC MCCOY, Columbia salesman, and WALTER BUSWELL, Red Wings player, respectively.

RAY MOON is back from Florida with a swell sun-tan. ALEX SCHREIBER is still in Miami acquiring one.

Barker FREDDIE SCHADER is batching it while wife, RAE, is vacationing in New York.

FRANK DOWNEY's father died in Columbus, O., early this week. He had been confined to a hospital for the last several months and was 76.

Barker JACK GOLDHAR on United Artists business in St. Louis.

HARLAN STARR, CAPLAN and some of the other barkers going to Toronto for the Stanley Cup playoffs.

The ladies held a bridge shindig in the club rooms, with MRS. CARL BUERMELE as hostess. Prize winners included MRS. HELEN JASSY, MRS. R. HAL BURRIS, MRS. FRANK SMITH, MRS. LESTER STURM, MRS. CHARLES PHILLIPS, MRS. BARNEY KILBRIDE and MRS. H. A. SILVERBERG. MRS. FLORENCE DOWNEY was hostess at this week's bridge session.

Barkers CARL SHALIT, MANNY GOTTLIEB, DAVID IDZAL and others sporting lame backs or what have you as a result of joining a local gymnasium health club.

HENRY ZAPP on another trip to Chicago.

Barkers DOWNEY and CAPLAN were forced to sing the Michigan football song at this week's meeting—and were they rotten!

SAM SEPLOWIN's wife home from the hospital, greatly improved.

St. Louis

ST. LOUIS, March 15.—BILL HOPPE's "King for a Night" set a new style with his elaborate floor show and entertainment. The crowd attending BILL's coronation broke all records.

Barker AL ROTH has become a firm convert to double featuring. The orchestra leader's charming wife presented AL with a pair of baby girls.

The sympathies of the entire club are extended to NAT STEINBERG, whose mother is dead after a lingering illness.

JOHNNY PERKINS made associate barker during his engagement here. Incidentally, PERKINS "learned" the boys about "hearts."

JOHNNY CAPORAL in Hot Springs for his health.

B'way Takes Hold to Good Average Level

Business was generally good along Broadway last week, but with no outstanding attractions running away with fancy figures.

"Joe Palooka" took a good $40,850 in its first seven days at the Rivoli, "Queen Christina" reached $60,115 at the Capitol, "Wonder Bar" grabbed $43,863 at the Strand and "Death Takes a Holiday" was good for $36,000 at the Paramount.

"Catherine the Great" fell off to $12,702 in its fourth week at the Astor.

Estimated takings:

Week Ending March 5:
"PALOOKA" (U. A.)
RIVOLI—(2,200), 35c-99c, 7 days. **Gross:** $40,850.

Week Ending March 6:
"DARK HAZARD" (Warners)
RIALTO—(2,200), 25c-65c, 2nd week, 6 days. **Gross:** $9,000.
"DAVID HARUM" (Fox)
RKO MUSIC HALL—(5,945), 35c-$1.65, 7 days. Stage show. **Gross:** $60,115.

Week Ending March 7:
"QUEEN CHRISTINA" (M-G-M)
CAPITOL—(4,700), 35c-$1.65, 7 days. Stage show. **Gross:** $42,500.
"IT HAPPENED ONE NIGHT" (Col.)
PALACE—(2,500), 25c-75c, 7 days. Stage show. **Gross:** $16,030.
PARAMOUNT—(3,700), 35c-99c, 2nd week, 7 days. Stage: Phil Baker and others. **Gross:** $36,000.
"NINTH GUEST" (Col.)
ROXY—(6,200), 25c-65c, 7 days. Stage show. **Gross:** $18,900.
"WONDER BAR" (F. N.)
STRAND—(2,000), 25c-$1.10, 7 days. **Gross:** $43,863.

Week Ending March 9:
"CAROLINA" (Fox)—Four days
"EIGHT GIRLS IN A BOAT" (Para.) Three days
RKO CENTER—(3,700), 25c-55c, 7 days. **Gross:** $6,390.

Week Ending March 12:
"BEDSIDE" (Warners)
MAYFAIR—(2,300), 35c-85c, 7 days. **Gross:** $6,100.

Week Ending March 13:
"CATHERINE, THE GREAT" (U. A.)
ASTOR—(1,012), 55c-$2.20), 4th week, 7 days. **Gross:** $12,702.

Ampa to Resume Its 'Naked Truth' Party

The Ampa dinner planned for the Astor on April 21 will mark a reversion to the "Naked Truth Dinner" which, for some years, marked the organization's annual social highlight. The proceeds are to be divided equally between *The Film Daily* Relief Fund and the M.P. Charity Fund. Rudy Sanders, Robert Wolff and Louis Nizer are the prime movers in the latter charity.

Marvin Kirsch, Ray Gallagher, Edward Finney, Louis Goldberg, Monroe Greenthal, Paul Gulick and Edward MacNamee yesterday were elected the nominating committee to put up new Ampa officers. The committee will meet next week to make its selections.

Para. Testing "Melody"

Paramount is releasing "Melody in Spring" in three spots Easter Week in advance of a big exploitation campaign planned. The picture opens simultaneously in Washington, New York and Chicago the end of March. General release is being held up pending results of the three bookings.

Looking 'Em Over

"Once to Every Woman"
(Columbia)

This is just another picture, not because it reeks of iodoform and hospitals, but because it is a perfunctorily handled addition to a cycle which has had a pretty good fling already in Hollywood's hands.

Cycles don't mean a thing when there is an idea that stamps treatment ot a story type previously well-worn with something different. That's what "Once to Every Woman" has not.

The yarn is all hospital, from opening to closing scene. It concentrates on the individualized stories of Fay Wray as supervising nurse; Ralph Bellamy, rising young surgeon who ultimately replaces Walter Connolly, eminent scalpel wielder outmoded in technique by advancing years; and Walter Byron, young physician with whom Miss Wray thinks she is in love, but establishes otherwise when his Casanova urge catches up with her.

There are operations, much sick room atmosphere and performances which, in the main, are acceptable, while Connolly's goes considerably beyond that. But all that transpires is routine, familiar and anything but fresh in the handling. Lambert Hillyer directed. KANN

"Social Register"
(Columbia)

With Colleen Moore heading a cast including Alexander Kirkland, Charles Winninger, Pauline Frederick, Margaret Livingston, Robert Benchley, Ross Alexander and Roberta Robinson, the experiences of a chorus girl trying to break down social barriers in order to marry Kirkland turn out to be entertainment of program calibre. Marshall Neilan supervised, directed and produced this on his own from the play by John Emerson and Anita Loos. William C. de Mille was associate producer.

Miss Moore meets Kirkland at a "scavenger" party. They fall in love, but when the lover brings the heroine to his home to meet his family the usual objections follow. However, Miss Moore is invited to a musical at Kirkland's home. She drinks a little too much and, in turning the party into a jazz affair, disgraces herself in the eyes of Miss Frederick, Kirkland's mother.

Miss Frederick bribes Alexander, who has been pulling a sympathy act on the heroine and managing to get away with it, to get Miss Moore to a Long Island shack and have her sleep there overnight. The gag works and Kirkland breaks off with his sweetheart. The heroine marries the saxophone player and band leader and later discovers the whole plot. She makes Miss Frederick confess and everything is straightened out. The marriage to Alexander is annulled and the love birds are free from family hindrances.

SHORTS

"Himalaya"
(First Division)

As a photographic record of the ascent of Mt. Everest, the world's highest mountain, by Dr. Deyrenfurth's International Himalayan Expedition, this featurette should hold any audience's interest. Beginning with the trek of the expedition through Tibet, and showing some of the customs of the natives, including the famous "Devil Dance of the Warrior Monks," it winds up with an inspiring shot from the mountain top. Details and preparations for the climb are explained in off-screen dialogue by Lowell Thomas. Running time, 33 mins.

"Playful Pluto"
(Walt Disney-U. A.)

A day at home in the life of Mickey Mouse and Pluto, the Pup, is the basis for this hilarious Disney short. Humorous details of dog behavior under trying circumstances are so well presented and synchronized as to make it one of those rare subjects that no one would mind seeing a second time. Running time, 8 mins.

"Laughing with Medbury In South America"
(Walter Futter-Columbia)

A few outstanding scenic shots of Amazonian waterfalls, jungle animal and bird specimens and street scenes in picturesque Buenos Aires distinguish this contribution to the John P. Medbury travel series. The wisecracking lines by Medbury which accompany the reels are of less consequence in this than what his camera catches. Running time, 8 mins.

"Mediterranean Blues"
(Educational)

Cinecolor views of various Mediterranean ports beginning in Italy and including Algiers and other north African spots. The narrative is by Claude Flemming. The subject matter is interesting, but the color is foggy. Running time, 6¼ mins.

"Screen Souvenirs"
(Paramount 3-7)

A conventional "Screen Souvenir" having shots of Gloria Swanson, Bobby Vernon, Lewis Stone, Gladys Hanson and Bryant Washburn in old-time pictures. The usual "mellerdrama" ends the reel. Time, 7 mins.

"One Night" $16,000 Hit, Kansas City

KANSAS CITY, March 15.—Columbia's "It Happen One Night" turned the tables on opposition from 25-cent admissions and double bills at competitive first runs and rolled up a smash $16,000 in eight and one-half days, which is $9,000 above the Mainstreet's normal for seven days. The take is the peak for the Mainstreet's straight film attractions in many moons and even exceeds many of the combination shows in recent months. The picture was given an elaborate opening Wednesday night, with plenty of ballyhoo.

The Midland's gross of $11,200 with "Mystery of Mr. X" was swelled several hundred dollars by a personal appearance Thursday night of Clark Gable and Gene Raymond, who stopped off briefly en route to the west coast. Huge crowds packed the railroad station and streets surrounding the theatre for a glimpse of the M-G-M star. Raymond's appearance was unexpected and was not advertised.

"Devil Tiger" was another good draw, securing $2,500 at the Royal. The Newman experienced a slump in the second week of its new policy of duals at 25 cents, while "I Like It That Way," at the Uptown, also fell below average.

Total for the week was $37,200. Average is $30,500.

Estimated takings:

Week Ending March 7:
"I LIKE IT THAT WAY" (Univ.)
UPTOWN—(2,000), 25c-40c, 7 days. **Gross:** $2,500. (Average, $3,000)

Week Ending March 8:
"IT HAPPENED ONE NIGHT" (Col.)
MAINSTREET—(3,049), 25c-40c, 8½ days, plus Saturday late show. **Gross:** $16,000. (Average, 8½ days, $8,500)
"I'VE GOT YOUR NUMBER" (Warners) "HIS DOUBLE LIFE" (Para.)
NEWMAN—(1,800), 25c, 7 days, plus Saturday midnight show. **Gross:** $5,000. (Average, $6,000)

Week Ending March 9:
"MYSTERY OF MR. X" (M-G-M)
MIDLAND—(4,000), 25c, 7 days, plus Saturday midnight show. Stage: Personal appearance, Thursday night only, Clark Gable and Gene Raymond. **Gross:** $11,200. (Average, $11,000)
"DEVIL TIGER" (Fox)
ROYAL—(810), 25c, 7 days. **Gross:** $2,500. (Average, $2,000)

Confer on Benefit

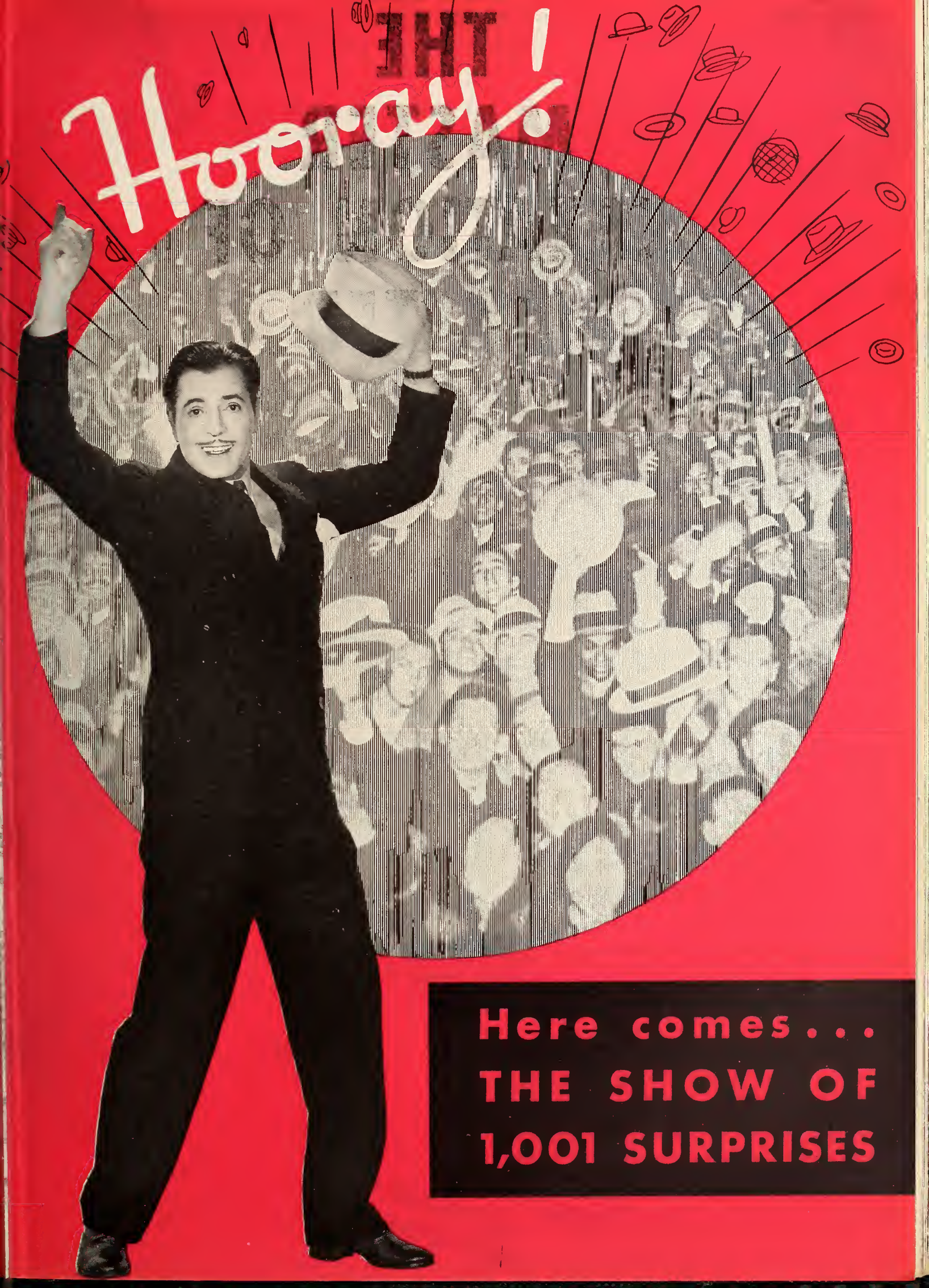
Gladys Cooper and Walter Huston went into conference yesterday with British Consul General Gerald Campbell at the Hotel Gotham on plans for the benefit for Associated British Charities to be held at the Metropolitan Opera House April 15. Dennis King, Ruth Etting, the Mills Brothers the Boswell Sisters and Chester Hale girls have been lined up for the program. Major Edward Bowes will be master of ceremonies.

Take New Iberia House

NEW ORLEANS, March 15.—The Elks Theatre at New Iberia, La., has been leased by the Sliman interests and will open Easter Sunday.

Fox Holds Montenegro

HOLLYWOOD, March 15.—Fox has signed Conchita Montenegro to star in four more Spanish pictures.


Hooray!
Here comes...
THE SHOW OF
1,001 SURPRISES

THE MASTER CREATION OF MASTER SHOWMEN



,000 PLAYERS!





VOCAL CHORUS OF 500!



"STAND

Conceived in daring... dedicated to box-office... a new show thrill is about to sweep across the nation's screens... as inspired FOX showmen blaze the way to an utterly new idea in entertainment. Dazzling, surprising, amazing... resplendent with beauties, song and spectacle... *and it goes even beyond* that... to excite every emotion the human heart has known!





5 BANDS OF MUSIC

335 SCENES





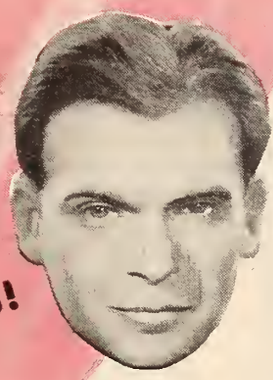
WILD ANIMALS!

THE SHOW OF 1,001 SURPRISES!



ITS MARVELS NEVER CEASE!







1,000 DAZZLING GIRLS!

4,891 COSTUMES!



UP and CHEER!

(Formerly "FOX FOLLIES")

WARNER BAXTER

MADGE EVANS · SYLVIA FROOS

JOHN BOLES · JAMES DUNN

"AUNT JEMIMA" · SHIRLEY TEMPLE

ARTHUR BYRON · RALPH MORGAN

NICK FORAN · NIGEL BRUCE

MITCHELL & DURANT

and STEPIN FETCHIT



SONG & DANCE TUNES

of the world for 1934.

"Broadway's Gone Hill Billy"

"We're Out Of The Red"

"Stand Up And Cheer"

"This Is Our Last Night Together"

"I'm Laughing"

"Baby Take A Bow"

Made for your amazement by these great showmen:

Produced by WINFIELD SHEEHAN

Associate Producer and Collaborator on Story and Dialogue: **LEW BROWN.** Director: **Hamilton MacFadden.** Lyrics: **Lew Brown.** Music: **Lew Brown** and **Jay Gorney.** Dances Staged by: **Sammy Lee.** Dialogue: **Ralph Spence.** Story Idea Suggested by: **Will Rogers** and **Philip Klein.**

A FOX PICTURE

Spot News from Columbia



Only two other pictures have been accorded this honor in history of this circuit! Entire RKO Metropolitan Circuit of 40 theatres plays CLARK GABLE and CLAUDETTE COLBERT in Frank Capra's "It Happened One Night," day and date, Easter week, the best week in show business!



A powerful story, a grand cast, gorgeous sets and ace entertainment! Soon on its way—ELISSA LANDI in "Sisters Under The Skin," with Frank Morgan and Joseph Schildkraut. Directed by David Burton.



The star of stars in the hit of hits! JOHN BARRYMORE in "20th Century," with Carole Lombard, Walter Connolly. Roscoe Karns, who did such outstanding work in "It Happened One Night," has been added to the cast. A Howard Hawks Production from the play by Ben Hecht and Charles MacArthur.

Decision on Prices Stirs K. C. Interest

KANSAS CITY, March 15.—The trade here is speculating whether a recent decision by Federal Judge John P. Nields of Wilmington, Del., has any bearing on minimum admission price stipulations in film contracts. The decision was in a case involving a Kansas City drug concern, the court refusing an injunction to a manufacturer of a food mixer, who sought to prevent sale of the machine at a retail price less than he is striving to maintain.

The court held price-fixing by contract or agreement unfair competition, in restraint of trade and contrary to public policy.

Try Phone Reports On Plane Shipments

American Airways, Inc., has devised a system for checking on film shipments so that consignees will receive telephone reports. Films leaving the coast at 9:30 P. M. are supposed to be delivered in New York the following evening.

Under the reported plan key cities along the route report arrivals to both New York and Los Angeles. Reports are also furnished on arrivals at Ft. Worth, Memphis, Nashville, Cincinnati, Columbus and Cleveland.

Saengers Lose Tax Case

NEW ORLEANS, March 15.—Petitions of A. D. Saenger, formerly associated with Saenger Theatres, Inc., and Mrs. Bertha H. Saenger for a review of the decision of the U. S. Tax Board of Appeals for Louisiana in connection with exemption claimed in income tax returns have been denied by the U. S. Fifth Circuit Court of Appeals. Mr. and Mrs. Saenger claimed exemption on two insurance policies on Julian Saenger, who died several years ago, each having a cash surrender value of $5,725, which were paid to Saenger in 1929 by Saenger Theatres, Inc., as extra compensation in addition to his salary.

Color Pictures May Quit

DOVER, Del., March 15.—Stockholders of Color Pictures, Inc., of New York will meet in the offices of the corporation, 15 Broad Street, New York, on April 3 for the purpose of taking action upon a resolution to dissolve. The resolution was adopted at a meeting of the board of directors of the company here.

Universal City Is 19

HOLLYWOOD, March 15.—Universal City today celebrated its 19th birthday. The occasion was observed by placing six productions in work. Five were completed during the day.

To Star Miss Sullavan

HOLLYWOOD, March 15.—Margaret Sullavan is to be starred in her second picture for Universal, "Little Man, What Now?"

Small Signs Colbert

HOLLYWOOD, March 15.—Edward Small has signed Claudette Colbert to a one-picture contract with Reliance and is looking for a suitable story for her.

A New Role

Newburyport, Mass., March 15.—Twelve armed policemen emptied the contents of their revolvers into James Cagney, riddling him with bullets from head to foot—and still Cagney stood without moving, erect as ever, to be the target for revolvers of twelve more policemen tomorrow.

It was a life-sized portrait of Cagney and the only one police were able to dig up to paste on the boards for their regular revolver practice.

FitzPatrick Plans New Type of Short

The present cycle of travelogue is over and the new selling season will find a different twist in this type of shorts, J. J. FitzPatrick states. The shorts subject producer would not reveal his plans, but says he has a different idea which he intends to use in next season's releases.

More intelligent criticism of shorts would improve their quality, he believes. "Instead of moaning about the double feature evil," FitzPatrick suggests, "a better type of short should be substituted for the second picture on twin bill programs." Short subjects producers are bringing on duals, due to the decided dearth of good featurettes, he adds. He holds that two or three more novelty shorts of the Walt Disney type would kill off the dual craze.

Radio Wants Doug, Jr.

HOLLYWOOD, March 15.—Following several recent cables between Radio and Douglas Fairbanks, Jr., in England, it is reported likely the actor will sail for the United States soon to take the lead spot in "Green Mansions" at that studio.

Although Radio is ready to sign him on the dotted line, Fairbanks is undecided whether or not to leave England at this time.

Form Producing Unit

HOLLYWOOD, March 15.—Alexander Brothers, operating the Alexander studios here, have formed a new producing corporation to be called Beacon Productions. They will produce a series of six topical dramas, the first of which will be called "I Can't Escape." Release in this country will be through state rights with Universal handling foreign distribution.

Mansfield House Sold

MANSFIELD, March 15.—A Cleveland court today ordered the sale of the Skirboll operated Madison here for $40,000 to satisfy a mortgage given the Guardian Trust Co., of Cleveland, now in liquidation. The sale was considered preferable to the State Banking Dept's assuming the operation of the house under a 21-year lease.

Charter Emmons Corp.

DOVER, March 15.—The Emmons Corp. has been chartered here to deal in cameras, projecting machines, transformers, etc., listing capital of 1,750 shares, no par value. The incorporators are Emile Bonnott, F. F. Kane and J. A. Lauridsen of New York City.

Films Aid Nations' Sanity, Says Hays

"Motion pictures have made their contribution to the courage and sanity of nations," declared Will H. Hays over a countrywide NBC hookup from WEAF last night which was rebroadcast in England.

The broadcast was for the benefit of the Cinematograph Trade Development Fund of London. It began in London at 6:45 Eastern Standard Time. At 7 o'clock the London end of the broadcast was concluded and Hays began his address here. Hays was followed in New York by Mary Pickford and Richard Arlen. When they finished speaking Hollywood was cut in and Leslie Howard, Jean Harlow and Ann Harding spoke.

Among other things Hays said: "In the dark days of depression, the motion picture has been a great refuge for humanity. The doors of a cinema theatre are magic portals beyond which lie the restful country of our dream. There, for a little time, one can lay aside worry and reality and live in a blessed land of make-believe. Motion pictures have made their contribution to the courage and sanity of nations.

"So I feel amply justified in asking all within sound of my voice to give as generously as they can to the aid and support of some of those who have labored to make the lives of others more pleasant and endurable. Our own Motion Picture Relief Fund has done splendid work in this country and I am sure the Cinema Charities of London will receive all the help they need and so amply deserve."

Kansas City Men in New Indie Exchange

KANSAS CITY, March 15.—Consolidated Film Distributors, Inc., of Kansas City, state rights exchange, has been organized here for independent distribution in Kansas and western Missouri. Franchise deals are being negotiated with several companies, including Amity, Astor, Goldsmith and Chesterfield, according to the company. These releases have been distributed by Associated Film Distributors, which last week ceased to function, the reason given being lack of capital.

The new concern also will distribute Master Arts releases, hitherto handled by Russell C. Borg, who has joined the organization as vice-president and sales manager. Borg formerly was Educational branch manager here for 10 years and more recently was with Columbia.

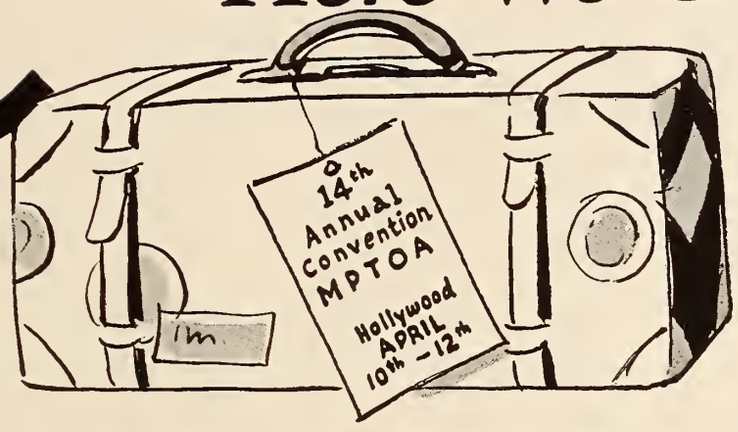
W. L. Norris is president of Consolidated and W. P. Humston secretary-treasurer. The latter two own the K. C. Sound Service Co., distributing Syncrofilm sound equipment and also operate the suburban State.

Samuelson Has Four Of His Aides Picked

Four of the six regional vice-presidents in Sidney Samuelson's advisory cabinet as president of Allied are set and the other two territorial heads will be appointed as soon as an Allied leader makes a survey of the western part of the country. Samuelson may make the trip west.

No names will be announced until all six territories are represented with leaders who will play an active part in Allied's expansion campaign.

"CALIFORNIA *Here We Come!*"



THE MOST IMPORTANT DATE IN EXHIBITOR HISTORY—APRIL 10th-12th

Every word of this announcement is of vital interest to the showmen of America. On April 10th in Los Angeles an unprecedented opportunity offers itself to theatre owners. The FOURTEENTH ANNUAL CONVENTION OF M.P.T.O.A. organized under the most favorable circumstances as regards economy and combination of business and pleasure, promises to be a significant event in the history of motion pictures.

ITS PURPOSES

With greatly reduced fares, and low expenses it has been made possible to plan a real business convention, together with the opportunity of a lifetime to go behind the scenes, learn how talking pictures are made, and to survey coming product.

MAJOR AIMS

To exchange and review actual experience with the functioning of the NRA Code for the Motion Picture Industry

a. The local Grievance and Zoning Boards
b. The trade practice provisions
c. The labor provisions
d. Discussion of how the Code can be improved.

PRODUCER MEETS EXHIBITOR

Here is a real opportunity for round table discussions between the people who make pictures and the people who sell them to the public, exchange of views, experiences and opinions, to bring about a better appreciation of both of the other fellows troubles and problems.

BEHIND THE SCENES

This is the first exhibitor convention in Los Angeles since talking pictures and therefore it is the first opportunity of theatre owners personally to see and examine the actual production of the talking pictures they will play in their own theatres the coming season. Know the technical processes used in manufacturing the product you sell at retail to your patrons.

CONVENTION TOPICS

a. Improved methods in theatre operation, to raise the standards of exhibition, theatre management and theatre advertising.
b. Organized efforts to increase interest in and attendance at motion picture theatres.
   1. Cooperation with local and national public groups sincerely interested in motion pictures.
   2. In competition with other forms of amusement, such as radio, dancing, carnivals, amusement parks, etc.
c. Protection through organization against unfair and discriminatory taxes on theatres and theatre admissions, censorship, drastic regulatory legislation and ordinances.
d. Double features—an evil or a blessing.
e. Efforts to restrain cut-throat competition between theatres.
f. Modern theatre construction, remodeling and equipment.
g. Labor problems.
h. Public relations programs for the local exhibitor.
i. Famous speakers will address the convention on subjects of interest to exhibitors.

THE FACTS

1. Name of organization: Motion Picture Theatre Owners of America National Headquarters: 1600 Broadway, New York, N. Y.
2. Affair: 14th Annual Convention.
3. Place and Date: Los Angeles, April 10th to 12th, 1934.
4. Convention at: The Ambassador Hotel, Los Angeles, Cal.
5. Minimum rates: $5.00 single, $7.00 double.
6. For hotel reservations communicate with Ben Berenstein, Chairman, Arrangements Committee, 1914 South Vermont Ave., Los Angeles, Cal.
7. *Lowest fares ever offered* due to special convention rates. For railroad information and reservations communicate with M. P. T. O. A. National Headquarters, 1600 Broadway, New York, N. Y.
8. Convention Specials from Chicago and New Orleans, arriving Monday, April 9th.
9. Arrange for return trip and route you want, rail or boat.
10. Convention is for M.P.T.O.A. members, their friends and guests.
11. Access to the studios is assured for convention delegates and their guests.
12. Forenoons will be devoted to business sessions, afternoons to trips through the studios and evenings to social affairs, banquet and entertainment.

KEEP THIS PAGE FOR REFERENCE

SOLD OUT WEEK IN ADVANCE! *All r*

shattered at the two-a-day, $2 Astor Theat

Read these brief excerpts from the marvelous reviews accorded "The House of Rothschild" by the New York newspaper critics:

"SUPERB!" — *Daily News*
"4 stars (highest ranking possible)! Arliss has never equalled his playing in this picture. Beautifully mounted, masterfully directed!" — *Kate Cameron*

★ ★ ★ ★

"GRIPPING!" — *N. Y American*
"Not only motion picture entertainment but significant drama. Arliss at his best. Cast gives exquisite support!" — *Regina Crewe*

★ ★ ★ ★

"MAGNIFICENT!" — *Daily Mirror*
"This brave picture is the most impressive film the great Arliss ever made. Forty splendid players support him. A picture of genuine importance, stately beauty and stirring dramatic force!" — *Bland Johaneson*

★ ★ ★ ★

"BRILLIANT!" — *Evening Journal*
"Filmed with a magnificent dignity. Should prove to be one of the most important and talked-about productions of the year. Unfolded with absorbing clarity and a richness of characterization." — *Rose Pelswick*

"EXCELLENT!" — *Herald-Tribune*
"Narrative invariably skillful i telling. Arliss decidedly at his be this excellent cinema adventure!' — *Richard Watt*

★ ★ ★ ★

"GRAND!" — *N. Y. Times*
"Arliss outshines any performan has contributed to the screen! Dia smart and witty, direction and st excellent!" — *Mordaun*

★ ★ ★ ★

"VIVID!" — *N. Y. Sun*
"A smashing good picture! dramatic force and distinction i presentation!" — *Eileen Cree*

★ ★ ★ ★

"FIERY!" — *World-Telegram*
"Impressive and compelling, beaut performed and directed! A timel fiery document! Played by a com too fine to single out any one play individual praise!" — *Wm. Bo*

★ ★ ★ ★

"FASCINATING!" — *Evening Post*
"Impressive characterization br vividly to life! A fascinating study fully cast!" — *Thornton Dele*

JOSEPH M. SCHENCK presents

GEORGE ARLISS

in a DARRYL F. ZANUCK production

The HOUSE of ROTHSCHILD

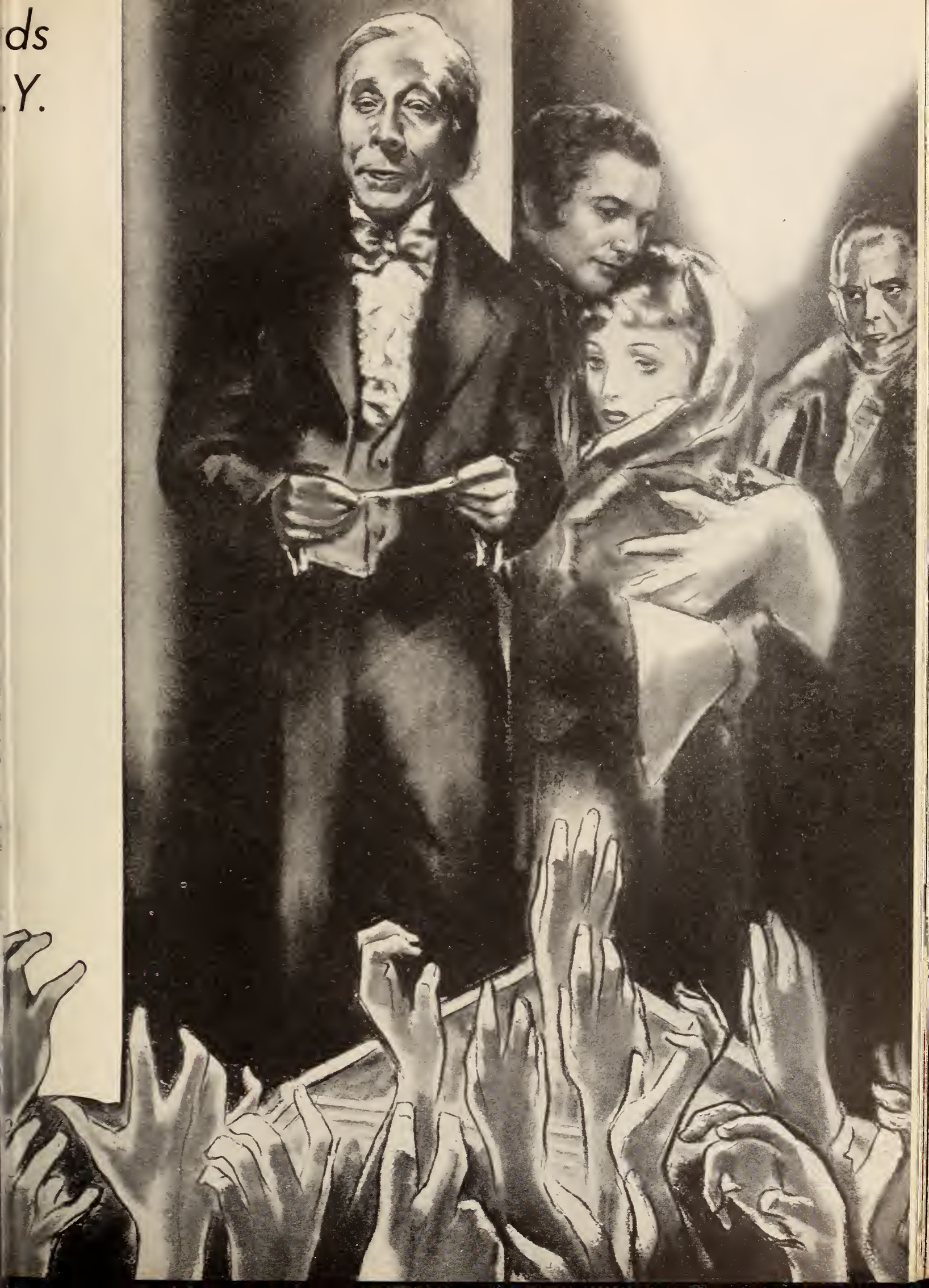
BORIS KARLOFF • LORETTA YOUNG • ROBERT YOUNG • HELEN WESTLEY

And a Distinguished Supporting Cast of One Hundred

20th CENTURY PICTURE



Released thru UNITED ARTISTS



"Number" Portland Leader at $3,800

PORTLAND, March 15.—"I've Got Your Number" made the best showing here last week, but failed to stir much excitement on a $3,800 gross at the Music Box. This was $800 over normal.

"Nana" pulled a par $5,000 at the United Artists, but the other three first runs were below normal.

First run totals were $21,200. Average is $21,000.

Estimated takings for the week ending March 8:

"THIS SIDE OF HEAVEN" (M-G-M)
"BOMBAY MAIL" (Univ.)
BROADWAY—(1,912), 25c-35c-40c, 7 days. **Gross:** $5,900. (Average, $6,000.)

"I'VE GOT YOUR NUMBER" (Warners)
MUSIC BOX—(2,000), 25c-35c, 40c, 7 days. **Gross:** $3,800. (Average, $3,000.)

"BITTER SWEET" (British)
"THRONE OF THE GODS" (1st Div.)
PANTAGES — (1,700), 15c-25c, 7 days. **Gross:** $1,900. (Average, $2,000.)

"DEVIL TIGER" (Fox)
"SEARCH FOR BEAUTY" (Para.)
PARAMOUNT — (3,008), 25c-35c-40c, 6 days. **Gross:** $4,600. (Average, $5,000.)

"NANA" (U. A.)
UNITED ARTISTS—(945), 25c-35c-40c, 7 days. **Gross:** $5,000. (Average, $5,000.)

Stage Shows Return To Frisco Orpheum

SAN FRANCISCO, March 15.—Charles Caballero, manager of the F. & M. Orpheum, resumed stage shows today with the Four Mills Brothers as initial attraction. After a two-week booking, the Mills freres will be followed by Ted Lewis, also dated for a fortnight. Other name acts to appear include Ben Bernie, Earl Carroll's "Vanities," "The Student Prince," Kate Smith, Duke Ellington and Olsen & Johnson.

Code Eagles Out Soon

KANSAS CITY, March 15.—In the next few days, the new "code eagle" organization will be perfected to begin distribution of the insignia which will take the place of the familiar blue eagle, according to word from Charles F. Horner of Kansas City, who has been called to Washington as special assistant administrator to direct the "code eagle" campaign. Thousands of the new NRA insignia are being printed for distribution to the code authorities in the different trade groups. In design they are similar to the "blue eagle."

Fox Re-Signs Two

HOLLYWOOD, March 15.—As a result of his work in "Stand Up and Cheer," Warner Baxter will be given star billing exclusively and will not be farmed out, Winfield Sheehan decided yesterday upon signing him to a new long-term contract. Spencer Tracy was also signed to a long termer on the same terms.

Long Termer for Raft

HOLLYWOOD, March 15.—Before his departure for New York today George Raft was signed by Paramount to a long termer with bigger pay and fatter roles.

Two New Fox Ad Men

C. J. Rossiter has replaced F. C. Bernard as ad sales manager of the Fox exchange in San Francisco. W. C. Hallwachs has succeeded N. E. Kassell in the Chicago branch.

Hollywood On Parade

By BILL SWIGART

HOLLYWOOD, March 15.—Activity on the cooperative technical program of the research council of the Academy is now in motion after the first meeting of the reorganized council, presided over by SAMUEL J. BRISKIN, chairman.

Resumption of the nine projects which were interrupted some time ago was authorized and each subcommittee will meet soon to resume individual projects.

A finance committee consisting of BRISKIN, CARL DREHER and NATHAN LEVINSON was appointed to work out details of financing of which the producers sometime ago offered to pay their share.

GORDON S. MITCHELL was appointed manager of the technical bureau of the Academy, through which all activities of the technicians' branch, the research council and its subcommittees are coordinated.

Members of the council and studios which each represented are: SAM BRISKIN and GEORGE SAID, Columbia: E. H. HANSON, Fox: DOUGLAS SHEARER, M-G-M: FARCIOT EDOUART, Paramount: CARL DREHER, Radio: THOMAS MOULTON, 20th Mentury: C. ROY HUNT, Universal and NATHAN LEVINSON, Warner-First National.

●

Now that EARL CARROLL brought his own beauties here from New York for his Paramount picture, the beauty specialist plans to return with the same girls, plus 20 to be selected in Hollywood. He said he will select 20 blondes and use them for his next production of the Vanities in New York. This may be considered reciprocity by local girls who resented the producer importing girls when so many better looking and more capable chorines could be had in Hollywood for the asking.

●

Faced with the problem of using an Automat for the background of a sequence in "The Loudspeaker," Monogram had the choice of sending the troupe to Chicago or building an exact replica of an eight-unit restaurant here. The studio decided the latter would be the cheaper.

BRUCE JOHNSON, formerly foreign representative for First National, is now functioning as branch manager of the San Francisco exchange of Independent Film Distributors, Inc.

●

The commission of aviation engineers sent to the United States by the Russian government to study American commercial aviation turned attention to the make-believe by being guests of M-G-M in company with Mr. and Mrs. ELLIOTT ROOSEVELT. The group of Russian visitors included B. J. KUZNETZOV, A. E. STERLIN, H. A. SOBOLOV, B. F. MATROSOV and S. SHUMOVSKI.

●

NOTES FOR THE BOOK . . . Another local college boy makes good in Hollywood. His name is JEFFREY TAYLOR and he was discovered by BEN PIAZZA who lost no time in signing him to a term contract with M-G-M. . . . Although actual production on "David Copperfield" will not be started for the next three months, DAVE SELZNICK has signed ELIZABETH ALLAN as the first of a cast of 68 principals. . . . CHARLES BOYER, who recently married PAT PATTERSON after a three week romance, will soon make his American debut as an actor in JESSE LASKY's forthcoming production, "The Private Life of Casanova." Which brings to mind that, while all these historic private lives are being exposed, why not pick on some of the stars? . . . Imagine what box-office "The Private Life of Garbo" would be. . . . Not satisfied with being a successful scenario writer, fiction scribe and author of the "Ella Cinders" syndicated comic strip, BILL CONSELMAN has turned lyricist with an assignment from Fox to write the words for two song numbers for PEGGY WOOD in "Merry Andrew." . . . JIMMY CAGNEY donated his services long enough to act as an auctioneer for a San Francisco Woman's club and succeeded in raising $3,000 in the sale of autographed manuscripts and etchings donated to the club by the best writers and artists from Carmel, Monterey and points north. . . .

●

For the third time FRANCES MARION has been nominated for the annual Academy awards for the best original. This year she is running against CHARLES MACARTHUR and ROBERT LORD for the outstanding story through her work on "The Prizefighter and the Lady." She won the Academy statuette in 1929-30 for writing "The Big House" and in 1931-32 for writing "The Champ." KARL STRAUSS also comes up for another statuette this year for his photography in "Sign of the Cross." He won this coveted honor 1927-28 for his photography in conjunction with CHARLES ROSHER in filming "Sunrise."

●

Again GARBO and M-G-M have their daggers out. This time it is her insistence upon having ROUBEN MAMOULIAN direct her next picture when the powers-that-be insist upon VICTOR FLEMING.

●

MORE NOTES OF INTEREST IF NOT SURPRISING! . . . SALLY RAND studied to be a missionary at Christian College, Columbia, Mo. . . . ANITA LOUISE is coming back in a prominent part in "The Most Precious Thing in Life" for Columbia. Her last appearance was in "Always Civilized" directed by EDWIN CAREWE..... MADGE EVANS back home from a tonsil operation and receiving orchids from TOM GALLERY. . . . More than three studios have voiced their interest in filming the life biography of JOHN MCGRAW, which proves how fast the picture brains are in waiting until a hero dies before becoming interested in his life work. . . . The best and most popular way of Hollywood studios taking in visiting New York columnists is to either buy an idea for a story or give them an acting job. It matters not whether they use the story or acting as long as the scribes get the checkeroo, it seems. . . . KEN MAYNARD has given up his fast motorcycle for a four wheeled motor after he had skidded and nearly lost a leg. . . . CAROLE LOMBARD's metal dress nearly cost her life when it contacted with a live electric switch on the set for "Twentieth Century" at Columbia. Fast work of electricians rescued her. . . . Fox is combining the best parts of three "Judge Priest" stories for W. ROGERS and IRVIN COBB is all the mo richer for selling three yarns inste of one. . . . LIONEL BARRYMORE celebrating his 25th anniversary the screen, having made his fi flicker at the old Biograph. Sin then he has been alternating betwe stage and screen, devoting the p eight years exclusively to the lat . . . Clicking a candid camera at slightest provocation is becoming popular that the lense pushers getting into the hair of those in limelight. Even the autograph se ers are wise to the practice and, wl they can't get a signature, they s stars on the spot, often times cat ing them at a disadvantage with t usual belligerent and disapproving pression at being accosted for an au graph.

"Easy to Love" and Bernie Lead Omaha

OMAHA, March 15.—A house record toppled at the Orpheum and other first runs found the going tougher than ever. Ben Bernie and his lads paid this town a visit last week. Gross was $17,250, nearly $1,000 over Callo way's business last season. Picture on the bill was "Easy to Love," bu it didn't matter what filled in betwee stage shows.

Duals everywhere else, including the Paramount, where the new policy's first week got a fair $6,750. Th bill included "The Cat and th Fiddle" and "The Poor Rich."

The Brandeis slipped to $3,750 wit "Hips, Hips, Hooray" and "The Bi Shakedown." "Devil Tiger" an "From Headquarters" at the Worl got about $4,250.

Total first run business was $32, 000. Average is $25,750.

Estimated takings:

Week Ending March 6:
"HIPS, HIPS, HOORAY" (Radio)
"THE BIG SHAKEDOWN" (F. N.)
BRANDEIS—(1,100), 25c-35c, 7 days **Gross:** $3,750. (Average, $5,000).

Week Ending March 8:
"THE CAT AND THE FIDDLE" (M-G-M)
"THE POOR RICH" (Univ.)
PARAMOUNT—(2,900), 25c-35c-40c, days. **Gross:** $6,750. (Average, $7,500
"EASY TO LOVE" (Warners)
ORPHEUM—(3,000), 25c-35c-50c, 7 day Stage: Ben Bernie's band. **Gross:** $17,25 (Average, $8,250.)

Week Ending March 9:
"DEVIL TIGER" (Fox)
"FROM HEADQUARTERS" (Warners)
WORLD—(2,200), 25c-35c, 7 days. **Gros** $4,250. (Average, $5,000.)

K. C. Employment Up

KANSAS CITY, March 15.—An optimistic note is an increase of 10.2 payrolls here in January as compare with January, 1933, as shown in tabulation of reports by 87 firms the Chamber of Commerce industri committee. The largest increase w in the automobile and steel industri January figures showed a drop fro last December, however.

First quarter business reports, d in 30 days, are expected to indica a substantial increase over the sa period in 1933.

Para.'s Musical "Winkl

HOLLYWOOD, March 15.—Paramou has declared a priority over Radio the right to the title "Rip Van W kle" and will make a screen musi with W. C. Fields and Lyda Robe heading the cast.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 35. NO. 63 NEW YORK, SATURDAY, MARCH 17, 1934 TEN CENTS

Warners Set For 60 Again Next Season

Business Gaining, States Jack L. in Chicago

CHICAGO, March 16.—Warners are finitely set on 60 features and 300 orts and the selling season will be n May 1, declared Jack L. Warner, oduction head of Warners, here to- y on his way to New York.

The number of color shorts, he said, obably would be hiked from five, e figure this year, to 12 next season, th all color shorts to be made on the

(Continued on page 2)

Phila. Talks Need Of Production Cut

PHILADELPHIA, March 16.—With re product than is needed at pres- t and the independents being owded out of the Mayfair and alto, there is talk here of starting move to have the government limit oduction the way it limits crops, cording to the *Exhibitor*.

Extended playing time for the bet- pictures of the majors has caused re trading of playing time than er before, it is said.

Eastman Profits in 1933 Nearly Doubled

Eastman Kodak Co. yesterday re- rted a net income of $11,119,044 the year ended Dec. 30, 1933, after charges. This compares with $6,- 3,748 the year before. Earnings for 33 were equivalent, after dividends preferred stock, to $4.76 per share the common, as against $2.52 for 32. Total volume of business owed a substantial increase in rly all products during the last f of the year," said the firm's ancial statement.

Menace

Over the wire from Miami yesterday from Jack Cohn and Nathan Burkan:

"Hal Horne insists on cluttering up our box with *Motion Picture Daily*. He is becoming a positive menace. Either make Horne read them himself or stop sending them to him, or send professional reader to read them to all of us."

The editor refused to take any action.

Hepburn First Actress; Laughton King of Actors



For her work in "Morning Glory"



For his work in "Henry VIII"

LOS ANGELES, March 16.—Filmdom's highest honors were announced tonight at the sixth annual dinner of the Academy of M. P. Arts and Sciences in the Fiesta Room of the Ambassador Hotel, which was attended by more than 750 of the leading Hollywood figures, including executives, players, directors and technicians.

The winners:

Best Performance, Actress
Katharine Hepburn for "Morning Glory."

Best Performance, Actor
Charles Laughton for "The Private Life of Henry VIII."

Best Direction
Frank Lloyd for "Cavalcade."

Best Production
"Cavalcade" (Fox).

Best Original Story
"One Way Passage," by Robert Lord.

Best Adaptation
"Little Women," by Sarah Y. Mason and Victor Heerman.

Best Cinematography
Charles Lange for "Farewell to Arms."

Best Art Direction
William Darling for "Cavalcade."

Best Sound
"Farewell to Arms" (Paramount).

Best Short Subjects
Comedy—"So This Is Harris" (Radio).
Novelty—"Krakatoa" (Educational).
Cartoon—"Three Little Pigs" (Disney-U. A.).

(Continued on page 4)

Para. Theatre Pool in South Said Brewing

Plan Rumored to Include About 500 Houses

NEW ORLEANS, March 16.—Gossip that Paramount theatre operators in the south would pool interests to form a theatre corporation reaching from the Atlantic coast solidly westward through Texas, creating an affiliated circuit of approximately 500 houses, is stirring plenty of discussion in industry circles here.

Reported to be involved in the rumored combine are the circuits operated by E. J. Sparks in Florida; Wilby-Kincey in the Carolinas; Saenger interests here and throughout neighboring states, and the Karl Hoblit-

(Continued on page 2)

Delaware Bill for Censors Introduced

DOVER, March 16.—Rep. Robert Hopkins of Milton introduced in the Delaware Legislature today a bill to create a film board of censors, composed of three members, one of whom must be a woman, and to make it unlawful to show in the state any film having for its principal actor or actress any divorced person or any person convicted of any infamous crime or crimes involving moral turpitude. It also sets out that it would be unlawful to show any film which is obscene or disrespectful to any race, class or persons or professions.

Mayfair's Tickets Are Again Protested

Recurrence of "courtesy tickets" at the Mayfair yesterday resulted in another protest from the Roxy to Division Administrator Sol A. Rosenblatt. Howard S. Cullman, receiver for the Roxy, enclosed in his letter to the NRA official a "managerial courtesy" pass, asking for action. The pass has on it the NRA insignia.

Recently, the assistant manager of the Mayfair stated the giving away of "courtesy" passes had been stopped.

Warner, Wehrenberg Confer on St. Louis

Theatre building by Warners in St. Louis is seen as remote as a result of conferences yesterday between H. M. Warner and Fred Wehrenberg. St. Louis independents pledged coopera-

(Continued on page 2)

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

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Advertising Manager

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Germany Puts a Ban On "Song of Songs"

BERLIN, March 16.—Paramount's "Song of Songs," with Marlene Dietrich, was banned throughout Germany today by order of the government without explanation.

The Paramount foreign department said yesterday that it had not been advised yet of the reasons for the ban and that no action could be taken until it had been. Its Berlin representative expects to have the official reasons disclosed to him later. Australia and India banned the picture several months ago.

Announcement was made in Berlin several days ago that Miss Dietrich had contributed to a welfare fund there. Miss Dietrich explained in Hollywood she had donated $500 to the winter fund for German poor children, and that it was not intended as a contribution to the Nazi party.

Mayor Gets 306 Protest

Mayor LaGuardia was asked yesterday by a delegation representing Local 306 and Rahman de Belal M. P. Operators' Post, American Legion, to refuse to attend the installation of officers of the I. T. O. A. at the Hotel Astor Monday night on the alleged ground the exhibitor organization has shown unfairness toward organized labor and has violated the code.

Gulf States to Meet

NEW ORLEANS, March 16.—Gulf States Theatre Owners Ass'n will hold a two-day convention at the Roosevelt April 10 and 11.

Warners Set For 60 Again Next Season

(*Continued from page* 1)

Coast beginning in April. All others will be made in the East.

Warners reached a high point in their output this year, he said, with the company completing 60 features in 12 months. The production season started May 18 last year. This is more than in any previous year and is the first time the company has delivered all that it had promised. In some previous years more had been promised, Warner said, but only 50 or 52 had actually been delivered.

Theatres generally are showing a 15 to 20 per cent increase over last year, Warner said, with the outlook favorable for continued improvement. Conditions are better everywhere, he asserted, except in California where industries are lagging. The NRA has increased costs 15 per cent, he said, but, he went on, "you pay out 15 per cent more and get back 40 per cent more. If it weren't for the NRA, where would we be at?"

The Warner production head is chairman of the California state NRA.

Commenting on the salary problem, Warner said he did not anticipate cuts in high salaries.

"To get high quality you have to pay high salaries," he said.

"Four musicals will be on the company's schedule next season, one of which will be with Jolson," he stated. There will also be an increase in the number of Spanish dialogue pictures for Latin countries, with Enrico Caruso, Jr., starred in one.

Dinner for Dowling

PHILADELPHIA, March 16.—Eddie Dowling is to be guest of honor at a dinner to be given here on April 4 by a group of Democratic leaders. M. E. Comerford, Frank C. Walker, Postmaster General Farley and others are expected to attend.

Dave Milgram a Father

PHILADELPHIA, March 16.—Dave Milgram is proud father of a seven and one-half pound boy named William. Mrs. Milgram is doing nicely.

Para. Theatre Pool in South Said Brewing

(*Continued from page* 1)

zelle interests in Texas. A report that details of the plan would be discussed by the Paramount theatre mentors meeting Saturday at Bay St. Louis were answered at Saenger headquarters here with the statement that E. V. Richards, head of Saenger, is not expected back from a current business trip until next week and is too far away at this time to reach Bay St. Louis by tomorrow.

Local strength is loaned to the report of the rumored combine, however, by the fact that Hoblitzelle's Interstate Circuit filed a Louisiana charter a year ago listing Marc A. Bane, James L. Champagne and Guth Anderson as incorporators. Saenger offices here are given as the addresses of all three. Richards' recent reorganization of the Peninsular Circuit, Florida, and his continued absence from the city are also cited by local theatre men as lending credence to the report. Confirmation is completely lacking.

M. P. Club's New Bar To Be Ready April 1

The new bar for the lounge of the Motion Picture Club will be ready about April 1 for a dedication with appropriate ceremonies, club officers stated yesterday. Regular cocktail hours with dancing will be on the club's social calendar following the opening of the bar.

Applications for membership continue to come in in large volume, it was said. The initiation fee is still suspended for those making application now but will be resumed after the reorganization period.

Texas Walkathon Ban Up

AUSTIN, Tex., March 16.—A bill to ban walkathons has been passed by both branches of the legislature and is now awaiting the governor's signature.

Universal Pfd. Up 2 on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	27	26½	27	+ ⅜	1,000
Consolidated Film Industries, pfd	16⅜	16	16	— ⅜	800
Eastman Kodak	89½	89¼	89½	+1	200
Fox Film "A"	15¾	15¾	15¾	— ¼	.....
Keith-Albee-Orpheum. pfd	30	30	30	.....	100
Loew's, Inc.	32⅞	32	32¼	+ ⅛	5,500
Paramount Publix	5¼	5	5¼	.....	4,700
Pathe Exchange	3½	3¼	3½	+ ¼	2,600
Pathe Exchange "A"	18⅝	18⅜	18⅞	+ ⅛	1,100
RKO	3⅞	3½	3⅝	+ ⅛	2,500
Universal Pictures, pfd	35	35	35	+2	1,000
Warner Bros.	6⅞	6⅝	6¾	.....	1,300

Technicolor Off ¼ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	9	9	9	— ¼	100
Trans Lux	2⅛	2⅛	2⅛	.....	100

Paramount Publix Bonds Up ½

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	10½	10⅜	10⅜	— ⅛	31
General Theatre Equipment 6s '40, ctf	9½	9⅜	9½	.....	6
Keith's B. F. 6s '46	64	64	64	.....	1
Loew's 6s '41, ww deb rights	98½	98⅛	98⅛	— ⅜	4
Paramount F. L. 6s '47	49	48	49	— ¼	12
Paramount Publix 5½s '50	50	49½	50	+ ½	6
Pathe 7s '37, ww	93¾	93¾	93¾	.....	4
Warner Bros. 6s '39, wd	56¾	56	56¾	.....	18

Purely Personal

NAT SPINGOLD, ABE MONTAGUE, BILL JAFFE, HOWARD DIETZ, MORT SPRING, LEO LUBIN, EUGENE ZUKOR, GEORGE WELTNER, JOHN FLINN, LOUIS PHILLIPS, HARRY BRANDT, LOUIS BLUMENTHAL, WILLIAM SMALL, JACK SHAPIRO and JOE VERGESSLICH among the noon-day diners at the M. P. Club yesterday.

JOSEPH QUITTNER, EDWARD MADDEN and MAX RUDNICK are planning to reopen the Central on a burlesque policy about March 24 under the name of the Columbia.

RICHARD HALL of the Warwick will be host at a St. Patrick's Day cocktail party for stage and screen bigwigs this afternoon with EDDIE DOWLING officiating as master of ceremonies.

Warner, Wehrenberg Confer on St. Louis

(*Continued from page* 1)

tion with Warners in return for similar cooperation from the circuit operators.

Wehrenberg came on from Washington after conferring with Division Administrator Sol A. Rosenblatt. Before returning to St. Louis yesterday, the head of the Eastern Missouri and Southern Illinois exhibitor unit also talked to Harry C. Arthur, who expects to acquire the Missouri, Ambassador and Grand Central in St. Louis about August 1.

Portland Groups to Enter Theatre Field

PORTLAND, March 16.—The Portland Council of Churches, Parent Teachers Ass'n. and various women's organizations have organized a Motion Picture Council for the purpose of opening a downtown theatre where only approved films will be shown. The new organization claims there is need of films suitable for juvenile entertainment.

How other theatres will view the new competition and what attitude distributors will take toward furnishing film has not been learned as yet.

Hornig Named Head Of Maryland MPTO

BALTIMORE, March 16.—New officers were elected and installed yesterday by the M. P. T. O. of Maryland. Frank A. Hornig was named president; Arthur B. Price, vice-president; J. Harry Gruver, treasurer; Hal Connelly, secretary. Louis Gaertner, Walter Pacy, Herman A. Blum, Sam Soltz, Thomas D. Goldberg, J. Lo Rome were named to the directorate. County directors were elected as follows: Philip Miller, Annapolis, Md.; Earle Burkins, Belair, Md.

Beecher Goes to Coast

Milton Beecher of the M-G publicity department left yesterday for the coast to confer with Howard Strickling. He will stop off at St. Louis and Denver. Accompanying him is Fred Wilcox, assistant director. Beecher will be gone about a month.



of course

FOX WINS

THE ACADEMY OF MOTION PICTURE ARTS AND SCIENCES AWARD

FOR THE

BEST PRODUCTION

("Cavalcade")

OF 1932-33

Just as FOX won the nationwide Film Daily "Critics Poll" for the year's best picture . . . and won two out of the first three places in Motion Picture Herald's "Biggest Box Office Names" questionnaire. Every day brings added prestige and profit to exhibitors playing FOX pictures.

Rule Theatres Not Insurers of Safety

COLUMBIA, S. C., March 16.—A theatre is not an insurer of the safety of its patrons, the Supreme Court rules in affirming an order of non-suit in the "stench bomb" action against the Carolina Theatre of Columbia.

The court affirmed an order of Judge M. S. Whaley of the Richland County Court, dismissing the action for damages brought by Annie Lawson Pope, who alleged she tripped and fell while trying to escape the "nauseating" fumes of the bomb. The plaintiff asserted the theatre was negligent in allowing a person to enter with the bombs and in leaving the carpet in such a condition that she was tripped when she left her seat.

Acting Associate Justice W. C. Cothran, writer of the court's opinion, said that the non-suit was granted on the ground that there was no proof "of actionable negligence or wilfulness to be submitted to the jury," and that the court agreed with the trial judge.

In response to a request from the plaintiff-appellant's attorney to declare the law that a theatre was an insurer of its patron's safety the same as a common carrier, Justice Cothran said even a common carrier was not liable for injuries if no negligence or wilfulness were proved. He said further that the law in South Carolina was that a theatre was not an insurer.

"Harum" Wow in Akron

AKRON, O., March 16.—Will Rogers may tumble the house records at the Colonial before "David Harum" departs. Its run, originally for a week, has been extended to two weeks, perhaps longer. "Little Women" holds the local record with 17 days.

Muskogee in Price War

MUSKOGEE, Okla., March 16.—Recent opening of the Gem by A. B. Momand at five and 10 cents for adults and three cents for children has started a price war in which Robb and Rowley have joined.

Louis Borzage Killed

HOLLYWOOD, March 16.—Louis Borzage, 74, father of Director Frank Borzage, was killed here last night in an auto collision. Lewis Borzage, another son, and his bride were slightly injured.

Ohio Town All Schine

MT. VERNON, O., March 16.—All film theatres here are now under Schine management. The Lyric is dark and the Vine has been opened on a seven-days-a-week basis.

N. O. Gets Walkathons

NEW ORLEANS, March 16.—This town has gone in a big way for its second walkathon with a floor show, 48 contestants and a band. Theatres are feeling the competition.

Sherwood Eastbound

HOLLYWOOD, March 16.—Robert Sherwood left for New York tonight.

Buck Film Set

"Wild Cargo," latest Frank Buck film, has been spotted in the Music Hall beginning March 29.

Hepburn First Actress; Laughton King of Actors

(Continued from page 1)

For Scientific or Technical Excellence

Erpi for "Wide Range" recording and reproducing system.

These were the first awards since November, 1932. This year's banquet differed from its predecessors in that there was a minimum of speechmaking. Will Rogers acted as master of ceremonies and Academy members brought their ballots, their choices being limited to the nominations submitted recently by the nominating committee.



Frank Lloyd

After the ballots had been deposited they were counted by a group of six girls from the auditing department of the Ambassador. Their tallies were checked by a certified public accountant with no industry connections.

During the progress of the balloting there was dancing between courses to music furnished by Duke Ellington's orchestra.

Names of the winners were not made known until they were actually called up for presentation of the gold statuettes emblematic of their achievements. J. T. Reed introduced various speakers.

Frank Lloyd and Howard Green were among the speakers at the banquet, which was the most gala affair ever staged by the Academy.

There was a rush for reservations up to the last minute and it was necessary to turn hundreds away. It was an event that brought all Hollywood together under a single roof.

Actual presentation of the awards was made at a party following the banquet.

Schenck Optimistic

KANSAS CITY, Mo., March 16.—Nicholas M. Schenck said here today on his way to New York from Hollywood that conditions looked encouraging for the new season for M-G-M.

Franklin to Visit Coast

KANSAS CITY, Mo., March 16.—Harold Franklin is going to the coast to arrange for the production and release of independent product planned by him.

Lanfield Loaned to B.&D.

HOLLYWOOD, March 16.—Sidney Lanfield has been loaned by 20th Century to British and Dominions to direct "Sons o' Gun," starring Jack Buchanan and Lily Damita. He leaves for England April 9 accompanied by Leonard Praskins, also loaned by 20th Century, who will adapt.

Pantages Second Run

HOLLYWOOD, March 16.—The Pantages has become a second run.

Looking 'Em Over

"Good Dame"

(B. P. Schulberg-Paramount)

It's the story of a wise guy—a carnival man—who runs across a girl who isn't wise—that is, not wise in the way all other women he has known have been wise. His technique is the crude love 'em and leave 'em type. Hers is the subtle appeal of wide-eyed innocence.

It's good entertainment for the younger element, and a lot of the oldsters who haven't lost their interest in a rough and ready style of romance will like it, too.

Fredric March pays Sylvia Sidney's fine when she is stranded in a small town after the carnival performers have been arrested. He puts her on a train, but she is put off by Jack LaRue. They meet again in a cheap hotel and become partners in a peddling stunt that takes them from one apartment to another. He insists he'll send her to Chicago as soon as they raise the carfare. His steady protests that she doesn't mean a thing to him are accepted with apparent indifference.

Their big moment comes when he is arrested for assault on an apartment house manager. She risks arrest to save him, and they are married in court.

March displays his versatility in a role as a tough guy who falls in love in spite of himself. He has a fine appreciation of comedy values, as well. Miss Sidney is sincere and appealing throughout. Her work is much more effective than it has been in some of her recent films.

"Wine, Women and Song," Mayfair Theatre preview Monday night, was reviewed on Dec. 16.

Goldwyn Would End Dual Bill Selling

ALBUQUERQUE, March 16.—One way of eradicating dual bills would be for distributors to refuse to sell to any exhibitor who doubles, declared Samuel Goldwyn here today as he alighted from the westbound Santa Fe Chief for station exercise.

He was emphatic on the point and seemed to have no doubts about its feasibility or desirability.

The producer was in a belligerent mood over criticisms of his recent *Saturday Evening Post* article on Hollywood salaries. He seemed to be especially annoyed that Charles C. Pettijohn of the Hays office had objected to it.

"Instead of finding fault with my article, Pettijohn should blame the producers' publicity departments for publicizing fictitious salaries," declared Goldwyn. "What I told was the truth and I believe I did the industry a service by pointing out that many star salaries were inordinately hiked for publicity purposes.

"For instance, President Roosevelt was provoked because Baby LeRoy was getting $150 a week. I pointed out his salary was only $50 a week. Similarly, with Greta Garbo and Constance Bennett and others in the high brackets, about whom producers had given the public to understand they were receiving a king's ransom.

"Not only do they not get what the producers say they get, but the Government gets half of what they actually receive. It isn't salaries paid real artists with box-office strength that injures the industry; it's the high salaries paid incompetents whom the industry would be better off without."

He refused to discuss his recent visit to Harvard, saying the faculty of the business school there wanted to discuss certain phases of the industry and it was not customary or dignified to reveal what was discussed.

E. M. Corcoran Bankrupt

NEW ORLEANS, March 16.—Edward M. Corcoran, auditor for Saenger Theatres, Inc., now in receivership, has filed a petition in bankruptcy listing $3,044.22 in assets and liabilities of $4,074.43. All claims, except Frank J. Hughes of New York, $475, are unsecured.

Toronto Passes Ended

TORONTO, March 16.—Weekly distribution of theatre passes for the unemployed has been discontinued here, it was stated today by Oscar Hanson, head of Associated Theatres Ltd. The suspension is due to discovery that the tickets had been diverted into political channels.

Defeat Mass. Child Bar

BOSTON, March 16.—By vote of 5 to 17, the House of Representatives has voted not to prohibit children under 14 years of age from attending theatres. The bill was sponsored by Representative Dorgan of Boston. Dorgan declared he would file the bill again.

Levy Reaches Coast

HOLLYWOOD, March 16.—Jules Levy arrives from New York via the Can tomorrow.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

OL. 35. NO. 64 NEW YORK, MONDAY, MARCH 19, 1934 TEN CENTS

M-G-M's List To Include 50 For 1934-'35

osmopolitan to Do 4; 200 Shorts—Schenck

M-G-M will schedule 50 features, cluding four from Cosmopolitan, next season, Nicholas M. Schenck, esident of Loew's and M-G-M, said sterday on his return from the coast. e company will maintain its short ject schedule of 200 issues, introcing a new cartoon in color to place a reduction in FitzPatrick vel subjects.

There will be eight FitzPatrick ues instead of the 12 released herefore. Details of the new color carn series cannot be divulged yet, nenck said.

The Metro chieftain found "great

(Continued on page 3)

ope for Italian Film Concessions

ROME, March 18.—A lowering of lian trade barriers on American ns and cotton in exchange for lian wine and silk imports by nerica is suggested by experts here a means of increasing trade beeen the two countries.

Vine and silk are Italy's chief exts and further expansion is desired. perts believe that if America ered terms which permitted greater of the Italian products, similar cessions could be obtained from

(Continued on page 3)

Plans for Roxy; Arthur Has Edge

f the four reorganization deals mitted recently to the first mort-e bondholders of the Roxy, two now being seriously considered by committee. One will be submitto Federal Judge Francis G. ey shortly.

he two plans are those of Her- Lubin and Harry C. Arthur.

(Continued on page 3)

muelson Names 4 f Planned Advisors

idney Samuelson, president of Al-, has named four of six terrial vice-presidents for his advisory net. They are Walter B. Littlel of Boston to handle the eastern on; Ray Branch of Hastings, h., to cover the midwest region;

(Continued on page 3)

Loew-Poli Deal Fact

Loew's has had control of the Poli New England circuit, comprising 18 houses, since the beginning of this season, Nicholas M. Schenck declared yesterday on his return from the coast.

Schenck's statement was made in reply to a query concerning the authenticity of numerous reports over a period of months that Loew's might acquire the circuit.

Exhibitors to Seek a Close Coast Contact

HOLLYWOOD, March 18.—Establishment of some kind of a continuous exhibitor contact with studios so production executives can keep in touch with the shifting public taste in film styles is to be one of the aims of the M. P. T. O. A. convention here next month, it has been learned on good authority.

The belief here is that a group of

(Continued on page 3)

Franklin Will Make 4 or 5 Films a Year

HOLLYWOOD, March 18.—Harold B. Franklin plans to produce four or five features annually, modeling his production system on that of Samuel Goldwyn, he declared today on his arrival from New York. He hopes to release through a major company, but

(Continued on page 2)

Block Booking Talk May Pop Up at Hearing

Patman Author of This And Censor Measure

WASHINGTON, March 18. — Apparently determined to work the film angle for all it is worth, indications on the eve of the opening of hearings on the film censorship bill are that Congressman Patman of Texas, its author and sole manager of the show to be staged at the House Interstate Commerce Committee hearing tomorrow, may swing the discussion around to a block booking bill introduced in the House Friday.

Under this bill, not only would

(Continued on page 3)

Hopes Fade for End Of Ohio's 10% Tax

COLUMBUS, March 18.—Hopes for early repeal of the 10 per cent admission tax faded yesterday when the House taxation committee voted 12 to 4 to attempt to build a permanent taxation program without the use of a general sales tax. With this impost eliminated as a base for a new pro-

(Continued on page 2)

See Duals Out in St. Louis by August

ST. LOUIS, March 18.—Elimination of duals here is seen during the middle of August. With several of the first runs on a twin bill policy, subse-

(Continued on page 2)

Para. Places High Hopes on Pending Bill

Bankruptcy Amendment Reorganization Aid

Paramount officials and executives associated with the bankruptcy administration of the company see chances of speeding up reorganization of Paramount Publix in the event of passage of the Federal amendment to the bankruptcy law now awaiting Senate action which would authorize Federal courts to confirm any reorganization plan which had approval of two-thirds of each class of creditors and a majority of stockholders.

One Paramount executive estimates enactment of the proposed amendment, already passed by the House, would make reorganization of the company "10 times easier." The most significant section of the amendment, it is said, is a provision which would per-

(Continued on page 3)

B. & K.-J. L. & S. Battle Flaring Up

CHICAGO, March 18.—The smoldering battle between B. & K. and Jones, Linick & Schaefer, which became apparent in trade circles when B. & K. changed its policy at the Oriental and cut prices to 25 cents and 40 cents to

(Continued on page 3)

Expect Over 200 at New Orleans Session

NEW ORLEANS, March 18.—More than 200 exhibitors are expected here for the two-day convention of the Gulf States Theatres' Ass'n April 10 and 11, and plans for entertainment of the visitors include a "Film Fair" at which 11 exchanges will set up booths in the 200 block on South Liberty St. The street will be closed to vehicular traffic for the purpose.

The registration committee includes: Philip Sliman, Rodney Toups and Harry S. McLeod. Other committees are: Finance, E. J. Myrick, Hoe Alsina and H. S. McLeon.

Carl Laemmle is expected to attend.

Gable-Colbert and Rogers Heavy Draws

BUFFALO, March 18.—"It Happened One Night," with "Dirigible" on a dual bill has shattered some precedents

(Continued on page 3)

Code Manuals Are Issued; Impartial Men to End Ties

Complete text of the manuals of procedure for the grievance and clearance and zoning boards appears on pages 6 and 7.

Government appointees, sitting in as impartial members of clearance and zoning and grievance boards, will be given the power to vote in the event votes of the boards are evenly divided, the manuals of the boards, made public on Saturday, point out. Meetings will be determined by the members themselves, who will be allowed railroad fares and up to $5 a day for hotel rooms.

Notice of meetings must be sent to board men three days in advance. There will be no permanent or temporary alternates. The chairman, elected at each meeting, will designate for the absentee a member of similar standing from the other board. In the event he is not available, the board unanimously

(Continued on page 6)

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'Billy' Ferguson in Line for Ampa Post

William R. ("Billy") Ferguson, exploitation director of M-G-M, is in line for the presidency of the Ampa, to succeed John C. Flinn. If Ferguson is nominated he is not expected to meet opposition and his election would result in unstinted support.

The committee set on nominating Ferguson comprises Marvin Kirsch, Louis Goldberg, Ray Gallagher, Edward Finney, Monroe Greenthal, Paul Gulick and Edward MacNamee.

Executives Sail

H. M. Warner, Sam Sax and Arthur M. Loew and Mrs. Loew sailed for Europe Saturday noon on the *Conte di Savoia*.

Loew returns May 10.

Jack L. Warner reached New York in time on Saturday to see his brother before the latter sailed.

Hoffberg to Europe

J. H. Hoffberg, head of the company bearing his name, will sail for England within two weeks on a business tour. He will visit most of the important centers and will spend some time in Spain looking over business of the branch there.

Kelly Goes to Coast

Arthur W. Kelly, head of foreign activities for U. A., leaves for the coast this week and from there will sail for Australia. Mrs. Kelly will accompany. Date of departure for the west is not yet set.

Insiders' Outlook

MAILBAG stuff, via special messenger from the RKO Building to MOTION PICTURE DAILY:

"Something must be the matter with our railroad system—Felix Feist, sales manager of M-G-M, walks up and down the railway platform in Kansas City coming East, and states: 'Double features are the greatest menace to the motion picture industry'.

"And now, Sam Goldwyn, returning to the coast from a lecture at Harvard University, walking up and down the railway platform in Albuquerque, states: 'One way of eradicating double bills would be for distribution not to sell any exhibitor double features'.

"Why not go a step further, Mr. Goldwyn, and refuse to sell exhibitors only on a percentage basis, and insist upon exhibitors playing pictures on extended runs? In that way, there will be no need for the production of more than about 150 features a year, thus throwing out of employment about 75 per cent of the people in all branches of the motion picture industry, and make it very comfortable for just a chosen few. Of course, that would destroy the intentions of the NRA, but what the hell of it—as long as it will take care of Sammy!"

Author: Eddie Golden, whose typewriter melts whenever this double feature business hits the linotypes.

▲

Names are secret, but two individuals who missed the assent deadline have applied to Code Authority to have their compliances accepted anyway. Authority discusses it in all seriousness at its next meeting on Thursday. After all that has been said and printed, how the deadline at midnight March 10 could have been missed by anyone determined not to remains cloudy and dark. . . . Pressbook on "Once to Every Woman" features evening clothes and the rest of the regalia. There isn't anything like it in the picture, which is a straight hospital yarn. . . .

▼

Holders of RKO gold pass keys are much less numerous this year. "Maybe they were called in because the company needed gold?" queried one who lost his. . . . What you might call subtlety is to be found by those who listen in "Social Register." Colleen Moore, meeting Alexander Kirkland for the first time, gives him her phone number as Columbus 5-3320. That's the Fox number, but Columbia is distributing regardless. . . . Disney and U.A. get set this week for three more years. . . . Bob Wilby on the New Orleans report tying together all Paramount's southern theatre partners from the Carolinas clear into Oklahoma: "So they are still drinking absinthe in New Orleans."

KANN

Mae West Plan Flops

NEW ORLEANS, March 18.—A movement to bring Mae West here as "Queen of Cotton" has fallen through. The backers hoped to make it a big occasion for tieups with merchants.

Shorts in 3 Tongues

HOLLYWOOD, March 18.—Pete Smith's "Goofy Movie" series for M-G-M will be made as multilinguals. The languages will be French, German and Spanish.

Buy Yarn for Beery

HOLLYWOOD, March 18.—M-G-M has bought the "Any Port in a Storm" series of short stories by Glenn Cannon which have been appearing in the *Saturday Evening Post* and will combine them into one yarn for Wallace Beery.

Roach Opens Today

HOLLYWOOD, March 18.—The Hal Roach studio will resume activity March 19 after two weeks' shutdown.

Trading Light on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	28⅛	27⅛	27⅞	+ ⅞	2,800
Consolidated Film Industries	4⅜	4⅜	4⅜	.....	100
Consolidated Film Industries, pfd	16¼	16	16	.....	600
Eastman Kodak	90½	89½	89½	.....	1,200
Fox Film "A"	15¾	15⅝	15⅝	— ⅛	200
Loew's Inc	32⅛	31¼	31½	— ¾	5,300
Paramount Publix	5¼	5	5	— ¼	3,900
Pathe Exchange	3⅝	3½	3½	.....	2,400
Pathe Exchange "A"	20⅜	18⅝	19¼	+ ⅞	3,400
RKO	3⅝	3½	3⅝	.....	1,100
Universal Pictures, pfd	36¼	35⅞	35⅞	+ ⅞	30
Warner Bros	6⅞	6⅝	6⅝	— ⅛	3,100

Trans Lux Off ¼ on Curb

	High	Low	Close	Net Change	Sales
Trans Lux	2	2	2	— ¼	100

Paramount F. L. Bonds Up 1

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	10¼	10	10	— ¼	24
General Theatre Equipment 6s '40, ctf	9⅛	9	9	— ½	6
Loew's 6s '41, ww deb rights	98½	98	98½	+ ⅜	11
Paramount F. L. 6s '47	50	49½	50	+1	6
Warner Bros. 6s '39, wd	56⅞	56	56	— ¾	9

Franklin Will Make 4 or 5 Films a Yea

(Continued from page 1)

said that he might build his ov theatre circuit in the event he is u successful in effecting a distributi deal. He will discuss production a release arrangements during his thr weeks' stay here, he said.

Franklin related that he had be looking over many manuscripts a said his plans include productions f the stage, as well. A definite a nouncement of his future program m be made on his return to New Yor Franklin said.

See Duals Out in St. Louis by Augus

(Continued from page 1)

quent runs are willing to drop them the prior run houses institute t move.

F. & M. now expects to get co trol of the Missouri, Ambassador a Grand Central a month ahead of t original date. The acquisition is n expected Aug. 1. Harry C. Arth intends to drop duals in his o houses and those he takes and t move probably will be followed subsequent runs.

Hopes Fade for End Of Ohio 10% To

(Continued from page 1)

gram, the committee will attempt formulate plans around an income and possible increase of rates on m chants and manufacturers under intangible tax law. Such a progr contemplates retention of the select sales, or nuisance taxes, the categ in which the admission impost con

Membership of M. P Club Exceeds 2

Membership in the reorganized M tion Picture Club now numbers m than 225, officers of the club Saturday. Additional applications reported arriving daily.

Mrs. D. A. Doran Die

HOLLYWOOD, March 18.—Re Doran, wife of D. A., formerly story head, passed away yester She had been ill for some time.

THE MAYFLOWE
61st STREET, (Central Park We
New York City

CONVENIENT TO TH
FILM AND
THEATRICAL CENTE

1-2-3 Rooms. Full Hotel Servic
FURNISHED OR UNFURNISH
By the Year, Month or Day

Serving Pantries
Electric Refrigeration

JOHN W. HEATH, *Manage*

M-G-M's List To Include 50 For 1934-'35

(Continued from page 1)

provement" in general conditions
d cited Loew's financial report for
e first two quarters of the current
ar showing gross income doubled as
mpared with the same period a
ar ago, as an indication of the ex-
nt of actual improvement. He said
regards the outlook as "very
couraging."

Talent loans by M-G-M were given
henck's approval with the statement
at "we are agreeable to lending
ent whenever it has an opportunity
perform suitably for another com-
ny."

E. B. Hatrick, Hearst-Cosmopoli-
n representative who accompanied
henck eastward, however, had a dif-
rent view. Hatrick declared that
ent loans, while favored by studios
d of some possible benefit to pro-
ction, is "bad business because it is
trimental to distribution and theatre
anches of the companies to whon
e talent is under contract."

Hatrick declared that double fea-
res "are menacing the quality of
dio output" as the policy "forces
ss production to supply the in-
eased demand for product."

"Duals cannot be eliminated," he
d, "because theatre decentralization
s returned operation to individuals
ose policies the producers can no
nger control. This situation makes
nsideration of a curtailment of pro-
ction extremely doubtful," he added.

Hatrick concurred with views on
neral business improvement, declar-
g that theatre grosses were up 15
20 per cent over last year. While
New York he will discuss Cosmo-
litan's new season production plans
d will confer with Truman Talley,
neral manager of Fox Movietone
d Hearst Metrotone newsreels, on
tine subjects.

Hope for Italian Film Concessions

(Continued from page 1)

ly favoring American films and
ton. The Italian film industry has
denced little or no stimulation as
result of Premier Mussolini's pro-
tive measures.

PARIS, March 18.—A heavy in-
ase of duties on imports was posted
terday by the French government.
affects 25 American products.
nerican films are not affected.
osting of the duties, however, les-
s the hope of American film men
e that films will be benefited by
erica's suspension of all foreign
ie and liquor import quotas for a
-month period.

Set "Rothschild" Dates

The House of Rothschild" has
n set for a total of seven roadshow
agements by Al Lichtman, vice-
sident and general manager of
ited Artists. The dates so far are:
m Beach, Beaux Arts, March
Miami, State, March 24; Cleve-
d, Ohio, and Boston, Majestic,
rch 31; Utica, Oneida, April 1,
Hollywood, Grauman's Chinese,
il 3.

Block Booking Talk Likely at Hearing

(Continued from page 1)

block booking be prohibited, but distributors would be required to furnish accurate synopses of all pictures offered to exhibitors before the films have been released and reviewed, and the Clayton Act would be amended to make it apply to license agreements and sales as well as sales in interstate commerce.

The hearing is being run by Congressman Patman, the Interstate Commerce Committee, which is in charge of the measure, merely having authorized him to go ahead. Whether any members of the committee will attend is not known.

Only one hour and 25 minutes will be devoted to the question of censorship, and if the hearing cannot be completed in that time it will be suspended to some future date.

Although Patman has been coy about disclosing who will appear, it is known that Abram F. Myers, Canon William Sheafe Chase and "some ladies," identity undisclosed, will present the case in favor of censorship, probably with Charles C. Pettijohn submitting the rebuttal. Whether A. Lawrence Lowell, president-emeritus of Harvard, or William P. Short will appear could not be learned.

The introduction of the block booking bill is believed to have been actuated in part at least by the realization that some of his own witnesses undoubtedly will drag that question into the picture. There has never been a hearing on film matters at which this has not developed into one of the major features of the discussion.

4 Plans for Roxy; Arthur Has Edge

(Continued from page 1)

Arthur is now operating the house under a special arrangement with Receiver Howard S. Cullman. Under his management, the F. & M. presentation policy has taken the Roxy out of the red. Lubin's original plan was to restore S. L. (Roxy) Rothafel as impresario. Last week Roxy confirmed reports in London he was planning to build a big theatre in the West End of London. Just how this plan would jell with Lubin's idea for recovering the 7th Ave. Cathedral is not clear.

If either plan is accepted, control will not change for at least six months. Arthur, according to insiders, holds the edge on bidding.

Samuelson Names 4 Of Planned Advisors

(Continued from page 1)

Aaron Saperstein of Chicago, for the central division; and Col. Harry A. Cole of Dallas, for the south.

Two western appointees will be named following a personal survey of the situation by an Allied leader, probably Samuelson. New units will be chartered, several requests already having been received and referred to the vice-presidents, according to Allied.

Next month directors and cabinet officers will meet at one of three spots: Washington, New York or Chicago. The latter city is understood the preferable spot and most conveniently located.

Exhibitors to Seek Close Coast Contact

(Continued from page 1)

exhibitors will raise the problem on the floor of the convention, and that there will be some vigorous criticism of the present lack of contact between exhibition and production forces.

A well known exhibitor here at present, who refuses to allow his name to be quoted prior to the convention, says Hollywood has been making pictures for the purpose of satisfying itself and that it is high time to take an inventory of and give consideration to the exhibitors' viewpoint on trends in stories and box-office values of stars. He further stated that a live, continuous contact must be established between Hollywood and exhibitors which will function in such a way that producers will heed the ever-shifting tastes of the public.

The argument is advanced that pictures are never sold directly to the public, but are sold to exhibitors who ought to, and do, know what their patrons prefer in plots, personalities and titles.

Just how this producer-exhibitor contact will be worked out is not clear in the minds of exhibitor spokesmen so far reached. Suggestions are to be sought along these lines, they say, from stars, directors and producers as well as the delegates, as it will be the first time in nine years representatives of the two branches have come together in a big way.

Interchange of Views On Product Is Planned

One of the highlights of the forthcoming M.P.T.O.A. convention, it was learned in New York on Saturday, will be round table conferences between production executives and exhibitors at which the latter will give the "Main Street" reaction and the likes and dislikes of their patrons an airing before those responsible for current types of pictures. The plan is viewed as a provocative one and, it is felt, that should make an impression on those, who, while actively in control of production, are not directly familiar with exhibitor problems and audience reactions.

This angle will be presented by a so far unnamed M.P.T.O.A. leader before studio executives at one of the sessions. The producers, probably through one spokesman, will be accorded opportunity to reply to the issue from their own point of view.

M.P.T.O.A. members are being asked to submit questions concerning the NRA Code to national headquarters to be answered by the code committee at the convention.

The committee which functioned in Washington will be under the chairmanship of Fred S. Meyer. Labor problems will be treated in the same manner by a committee headed by Jack Miller. These committees will stand throughout the convention, devoting their time exclusively to problems growing out of the code.

Exhibitors are requested to submit their problems in writing now so that the committees can study them and prepare answers. Suggestions concerning the code are also desired and these will be commented upon.

George Jacobs to Dallas

George Jacobs, formerly identified with U. A. in Charlotte, today becomes office manager and chief booker of the company's Dallas office.

Para. Places High Hopes on Pending Bill

(Continued from page 1)

mit bankrupt corporations to file petitions with Federal courts scaling down creditors' claims and stockholders' interests to a point where the company would have a chance to pull through its difficulties. Under such circumstances reorganizations would be facilitated, even though they would have to have approval of two-thirds of the creditors and a majority of stockholders.

WASHINGTON, March 18.—Voting to make a favorable report on the proposed amendment to the bankruptcy law already passed by the House, the Senate judiciary committee has brought the measure a step nearer to enactment. Under the measure, corporations unable to meet their debts are to be granted the same privileges as have already been extended to individual business men, farmers and railroads by legislation enacted last session.

B. & K.-J. L. & S. Battle Flaring Up

(Continued from page 1)

compete with the J. L. & S. State Lake has flared into the open.

In local newspaper ad copy on the State-Lake program, J. L. & S. takes up some extra space to state: "Today—the third important event in entertainment history. First: We originated BARGAIN PRICES. Then: We originated three shows in one—vaudeville, stage revues, pictures; and NOW the State Lake originates STELLAR CELEBRITY SHOWS. And at our regular bargain prices, too. WE ORIGINATE . . . OTHERS IMITATE."

This week's program features Paul Ash. Under the reverse zinc on the State-Lake name appears the slogan, "The ORIGINAL Bargain Theatre."

J. L. & S. has acquired the Majestic on Monroe St. B. & K. recently signed a five-year lease on the Garrick which it will open soon under a policy not yet revealed. J. L. & S. will open the Majestic April 1, but is stating no policy at this time.

Gable-Colbert and Rogers Heavy Draws

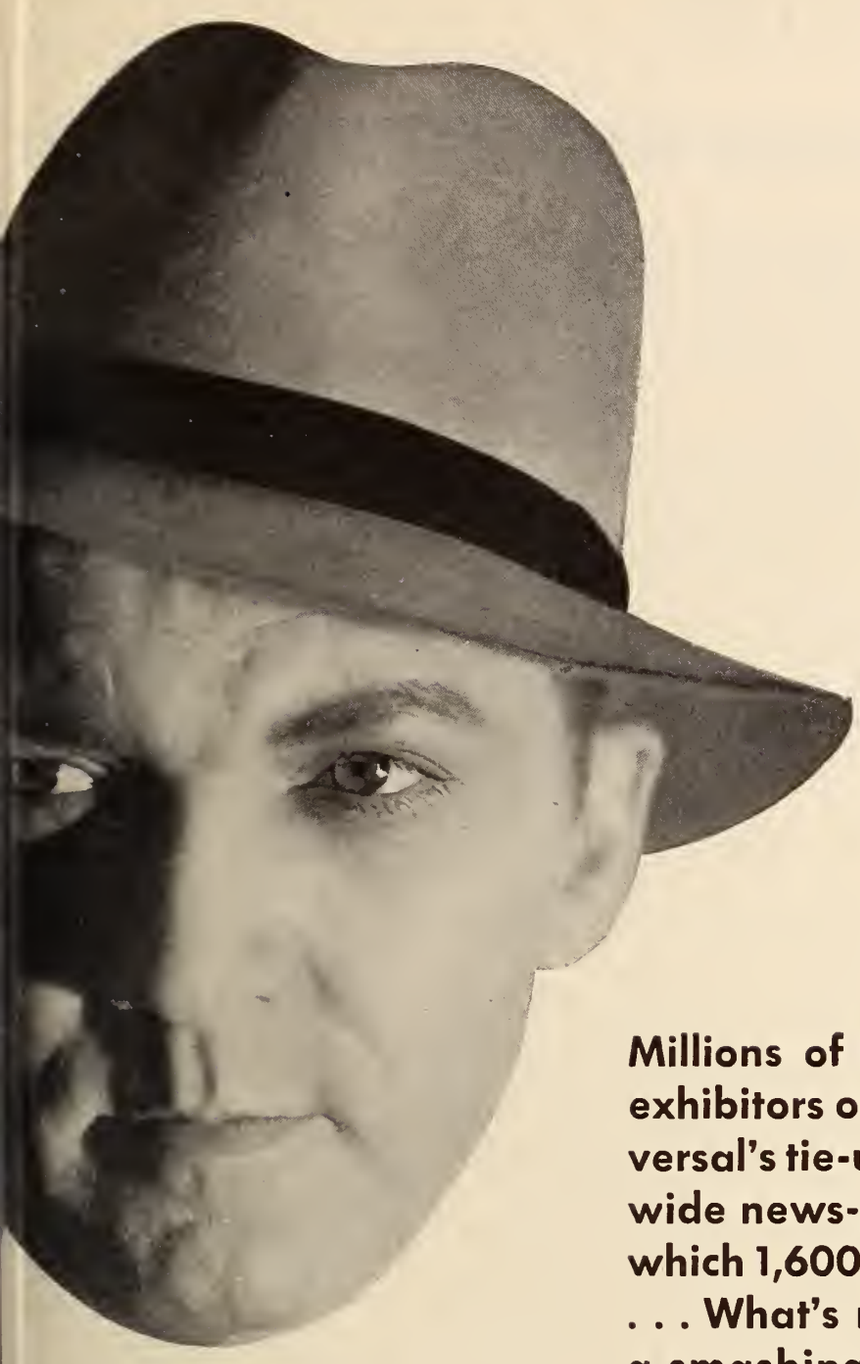
(Continued from page 1)

at the Lafayette. It is the first demand holdover and the first dual bill to play a second week. The only other holdover at the house under the present management was "Before Midnight," which was held under contract. It is figured that more than 125,000 persons saw the dual in 12 days.

ST. LOUIS, March 18.—"It Happened One Night" lasted 19 days at the Fox. It was set in for seven days, but proved a wow. It was taken out only because "David Harum" was waiting to get in.

PORTLAND, March 18.—"David Harum" broke all first day records so far this year at the Paramount. It has been exceeded only by "Carolina." It equalled "Mr. Skitch."


LEE
TRACY
in
I'LL TELL THE
WORLD"



Millions of seats will be pre-sold for exhibitors on this picture through Universal's tie-up with the greatest world-wide news-gathering organization, in which 1,600 newspapers are affiliated . . . What's more, it's a great picture — a smashing, swift-moving melodramatic romance of a clever correspondent whose job is to be where exciting things are happening!

•

with

GLORIA STUART
ROGER PRYOR

Onslow Stevens, Alec Francis, Lawrence Grant, Dorothy Granger, Hugh Enfield. Produced by Carl Laemmle, Jr. Directed by EDWARD SEDGWICK. Presented by Carl Laemmle.

A UNIVERSAL PICTURE

Coming!

MARGARET SULLAVAN

IN

LITTLE MAN, WHAT NOW?

Manual on Grievance Procedure

Text of the manual of procedure for grievance boards, as officially released by Code Authority on Saturday:

I
Appointments

Pursuant to the provisions of the Code of Fair Competition for the Motion Picture Industry, approved by President Roosevelt on November 27th, 1933, the Code Authority of the Motion Picture Industry has appointed the following to act as members of the Local Grievance Board and the Secretary of such Board, for the .....Exchange Territory, the duration of each of such appointments to be at the will of the Code Authority.

1. Representative of National Distributors with Theatre Affiliation
   Mr. ....., ..., ...
   (City) (State)
   Associated with .....
2. Representative of Distributors without Circuit Theatre Affiliation
   Mr. ....., ..., ...
   (City) (State)
   Associated with .....
3. Representative of Exhibitors, Affiliated
   Mr. ....., ..., ...
   (City) (State)
   Associated with .....
4. Representative of Exhibitors, Unaffiliated
   Mr. ....., ..., ...
   (City) (State)
5. Impartial Representative of the Code Authority.
   Mr. ....., ..., ...
   (City) (State)
6. Secretary
   Mr.-Miss ....., ..., ...
   (City) (State)

The members of the Local Grievance Board shall meet promptly after their appointment by the Code Authority at such time and place as shall be fixed by them.

Prior to such first meeting, each member shall subscribe to the oath in the form attached hereto and shall forthwith transmit such oath for filing with the Administrator, to the Executive Secretary, Code Authority of the Motion Picture Industry, 23rd floor, RKO Building, Rockefeller Center, New York City. Thereupon the members shall by majority vote select from their number a Chairman, determine the regular intervals at which meetings shall be held and designate the date of the next meeting.

There shall be transmitted by the Code Authority to the Secretary a complete and certified list of Distributors maintaining exchanges in, and Exhibitors operating theatres served out of the ..... Exchange Territory, who have qualified to file complaints with the Local Grievance Board pursuant to Article VI, Part 2, Section 8.

The jurisdiction and authority of the Local Grievance Board and all requirements necessary to properly make any complaint to such Board should be carefully studied by the members of the Board and the Secretary thereof with particular attention to Article VI, Part 2, Section 4.

The Secretary of the Local Grievance Board should become familiar with the provisions contained in the Code which are to be followed in the case of appeal. (Article VI, Part 2, Section 7.) The procedure for an appeal is mandatory and must be strictly followed by the appellant.

The Secretary shall be helpful and sufficiently informed so as to answer corrrectly questions as to procedure. Constant reference to the printed text and to any instructions issued by the Code Authority will prevent mistakes and duplication of work.

Rules for Local Grievance Boards

II
Organization

Sec. 1. Meetings of the Local Grievance Board shall be held in the city of .... at such time and place as shall be designated by such Board. Notice of each meeting of the Local Grievance Board shall be given to each member by the Secretary at least three (3) days prior to the date thereof, except that for a meeting called as provided in Article V. D, Part 9 (b), forty-eight hours telegraphic notice shall be given. Any notice to be given any member of the Local Grievance Board shall be deemed given sufficiently and completely if and when delivered or mailed to such member at his address appearing on the records of the Local Grievance Board. The members of the Local Grievance Board shall not be entitled to nor shall they be paid any compensation for their services. For attendance at meetings, each member of the Local Grievance Board shall be paid the amount itemized in writing by such member and approved by the Secretary, as having been expended by him for railroad fare to travel from his place of business or residence, whichever is nearer, if not in the city of ....., and for necessary hotel room expense not to exceed Five Dollars ($5.00) per day.

Sec. 2. In the case of the absence, ineligibility or incapacity of any member of the Local Grievance Board to act at any meeting thereof, the Chairman shall appoint as temporary member, a member of the same classification from the Local Clearance and Zoning Board, provided that such member is available to serve. In the event he is not available, a temporary member shall be selected unanimously by the members of the Local Grievance Board from the same general class of the absentee member. In the event of failure to obtain a unanimous choice, the temporary member shall be appointed by the Code Authority. The temporary member shall act only for the time during such meeting that such regular member is absent, incapacitated or ineligible. If a vacancy occurs because of death or permanent ineligibility, or permanent incapacity, the vacancy shall be filled by the Code Authority.

At all meetings of the Local Grievance Board the presence of all of the members shall be necessary to constitute a quorum and on all matters the vote of the majority of all of the members shall be deemed to be the action of the Local Grievance Board. (Article VI, Part 2, Section 6b). The impartial representative of the Code Authority shall vote only in case the vote of the other members is evenly divided. (Article VI, Part 2, Section 6a).

Sec. 3. At each meeting of the Local Grievance Board the members shall select a Chairman from their number with full voting rights, to preside at the meeting of the Local Grievance Board and any recess thereof. The Chairmanship of the Local Grievance Board shall be rotated among the members and each member shall in turn be selected to act as Chairman.

Sec. 4. The Code Authority of the Motion Picture Industry shall appoint and fix the compensation of the Secretary, who shall be a person not a member of the Local Grievance Board. The services of the Secretary may be terminated at any time by the Code Authority. The Secretary shall keep a record of the proceedings of all meetings of the Local Grievance Board and of all other matters of which a record shall be required by the Code Authority. The Secretary shall take minutes of all hearings in such form and to such extent as the Code Authority shall direct, and such minutes shall be part of the record. The Secretary of each Board shall make application to the proper State or Municipal Authority for appointment to administer oaths, and shall at all hearings administer the oath to all witnesses. The Secretary shall issue notices of all meetings and shall perform such other duties as may from time to time be designated by the Code Authority.

Sec. 5. Neither the Local Grievance Board nor any member thereof or the Secretary shall make any commitment for expenditures other than necessary hotel room expense or railroad fare as provided for in Section 1 hereof, without first obtaining written approval therefor from the Code Authority.

Sec. 6. These rules may be amended and added to at any time by the Code Authority.

Sec. 7. No member of the Local Grievance Board shall sit on any matter involving his own or his company's interest. (Article VI, Part 2, Section 6a).

III
Procedure

The Local Grievance Board may receive and determine only such matters as are specified in a written complaint, sworn to by the complainant, and filed in triplicate with the Secretary who shall forthwith deliver a correct copy thereof to each party complained of and to each party whose interests may be affected by the determination.

IV
Hearings

Sec. 1. All parties concerned in any hearing may appear in person or by attorney. They shall be notified of the time and place of hearing by the secretary at the same time the secretary notifies member of the Local Grievance Board.

The authority of the members of the Local Grievance Board to hear complaints is derived from and limited by the Code of Fair Competition for the Motion Picture Industry. Members are not bound by the technical rules of evidence but should refuse to admit evidence which is immaterial or irrelevant. Members are without power or authority to make any determination which shall be at variance with the provisions of the Code of Fair Competition for the Motion Picture Industry or any interpretation thereof by the Code Authority.

Sec. 2. In arriving at a conclusion, each member should be mindful that his responsibility is as great as that of a judge sitting in a court of law. Each member should be actuated by principles of justice. Members of Local Grievance Boards must be impartial. They cannot be impartial if

(a) they have any private agreements with either party respecting the subject matter in controversy.
(b) they have any bias or prejudice in favor of or against any of the parties. It shall be the duty of any member having any bias or prejudice in favor or against any of the parties to announce such bias or prejudice prior to the hearing of the complaint.

If the bias or prejudice of a member is established, such member shall be ineligible to sit upon the Local Grievance Board determining the complaint in question.

Sec. 3. Members of the Local Grievance Board should avoid

(a) acting as conciliators. Their duties are not to seek a compromise but to reach a fair decision and to make a just disposition based solely upon the evidence.
(b) acting as an advocate or agent of any party. Their duties are not to argue or to defend but to hear and decide solely on the basis of the evidence submitted.
(c) expressing opinions or views concerning the parties or the controversy, except in the written determination thereof.

Sec. 4. The members should so conduct the hearing as not to prepudice the interests of either party. They should not receive and should decline to receive private communications, or other information from any source. If any such information is received or in their possession, open disclosure thereof must be made at the hearing, and/or before determination. Each party should be granted an equal opportunity to present his case.

Sec. 5. The members shall observe the following rules.

(a) all witnesses must be sworn. The following form of oath shall be used: "Do you solemnly swear that in the matter of the complaint of..... against ..... you will tell the truth, the whole truth and nothing but the truth, so help you God?"
(b) hear in the presence of all members, first, the witnesses of the complaining party and then the witnesses of the defending parties. The members should permit the parties or their attorneys to cross-examine all witnesses and present their own witnesses in rebuttal. The members may during the hearing question all witnesses if they so desire, without unduly interrupting the orderly conduct of the hearing.
(c) permit the parties or their attorneys to briefly sum up their case.
(d) adjourn the hearing to a future date for good reason. Take all possible steps to avoid unnecessary delays to the end that all hearings be expedited.
(e) confer immediately at the end of the hearing and arrive at a determination based solely upon the evidence submitted.

Sec. 6. Members of Local Grievance Boards are cautioned to

(a) refuse to admit evidence which is immaterial or irrelevant.
(b) refuse to consider evidence if no opportunity is afforded for cross-examination of the party or witness whose evidence is offered.
(c) postpone only for compelling and proper causes a hearing already set.
(d) avoid reaching a decision before the close of the case.

V
Determination

Sec. 1. The determination must clearly reflect the decision of the majority of the members of the Local Grievance Board. Decisions of a Local Grievance Board wherever possible should be unanimous and may be publicized. There can be only one determination. Accordingly, the members should never make a determination which

(a) contemplates further action of any kind by the Local Grievance Board, except as provided in Article V-E, Part 3, Section 3.
(b) reserves to the members further powers or action.

Sec. 2. The Local Grievance Board shall not have power to award damages.

Sec. 3. Upon a determination directing distributors not to enter into new contracts, and not to deliver further pictures under existing contracts (Article V.E., Part 3, Section 3) the secretary shall forthwith notify all distributors.

Sec. 4. All determinations must be in accordance with the provisions of the Code of Fair Competition for the Motion Picture Industry, and in accordance with any interpretation thereof by the Code Authority.

Sec. 5. The determination should be certain in its terms and simple in its language. It should state in clear and simple language the determination of the Local Grievance Board. Each determination should be so phrased as to be possible of performance. Each member shall sign the determination indicating whether he votes in favor thereof or dissents therefrom.

Sec. 6. Members of the Local Grievance Board are not required to state the reasons for the conclusions reached, but may do so if they see fit. The members may incorporate their reasons in an opinion accompanying the determination, if they or any of them so desire.

Sec. 7. Any party to a hearing desiring a stenographic transcript of the proceedings and testimony, may employ a competent stenographer approved by the Local Grievance Board. In the event of appeal, such transcript may be used only when certified to be correct by the Local Grievance Board.

Sec. 8. Upon the filing of a notice of appeal from any determination of a Local Grievance Board, the Secretary shall notify all affected parties.

The manual concludes with the oath form, facsimile of which was published in MOTION PICTURE DAILY on March 10.

Code Manuals Are Issued; Impartial Men to End Ties

(*Continued from page* 1)

will appoint a substitute of the same general class. If no unanimity can be obtained, the authority will wire a selection. Local autonomy is designed to prevail.

Each member of the boards will be given a chance at the chairmanship. Decisions of the boards should be unanimous and may be publicized, the manuals reveal.

The interpretation by Donald R. Richberg, chief NRA counsel, in regard to assents is included in each manual. Letters to nominate local secretaries also accompany the booklets, which are being sent out today by Code Authority to all board members.

Manual on Clearance and Zoning

Text of the manual of procedure for clearance and zoning boards, as officially released by Code Authority on Saturday:

I
Appointments

Pursuant to the provisions of the Code of Fair Competition for the Motion Picture Industry approved by President Roosevelt on November 27th, 1933, the Code Authority of the Motion Picture Industry has appointed the following to act as members of the Local Clearance and Zoning Board and the Secretary of such Board for the .....Exchange territory, the duration of each of such appointments to be at the will of the Code Authority.

1. Representative of National Distributors with Theatre Affiliation.
   Mr. ....., ..., ...
   (City) (State)
   Associated with.....
2. Representative of Distributors without Circuit Theatre Affiliation.
   Mr. ....., ..., ...
   (City) (State)
   Associated with.....
3. Representative of First Run Exhibitors Affiliated.
   Mr. ....., ..., ...
   (City) (State)
   Associated with.....
4. Representative of First Run Exhibitor Unaffiliated.
   Mr. ....., ..., ...
   (City) (State)
5. Representative of Subsequent Run Exhibitors Unaffiliated.
   (a) Mr. ....., ..., ...
   (City) (State)
6. (b) Mr. ....., ..., ...
   (City) (State)
7. Impartial Representative of the Code Authority.
   Mr. ....., ..., ...
   (City) (State)
8. Secretary
   Mr.-Miss ....., ..., ...
   (City) (State)

The members of the Local Clearance and Zoning Board shall meet promptly after their appointment by the Code Authority at such time and place as shall be fixed by them.

Prior to such first meeting, each member shall subscribe to the oath in the form attached hereto and shall forthwith transmit such oath for filing with the Administrator, to the Executive Secretary, Code Authority of the Motion Picture Industry, 23rd floor, RKO Building, Rockefeller Center, New York City. Thereupon the members shall by majority vote, select from their number a Chairman, determine the regular intervals at which meetings shall be held and designate the date of the next meeting.

There shall be transmitted by the Code Authority to the Secretary a complete and certified list of Distributors maintaining exchanges in, and Exhibitors operating theatres served out of the..... Exchange Territory, who have qualified to file protests with the Local Clearance and Zoning Board pursuant to Article VI, Part 2, Section 8.

The jurisdiction and authority of the Local Clearance and Zoning Board and all requirements necessary to properly file any protest to such Board should be carefully studied by the members of the Board and the Secretary thereof with particular attention to Article VI, Part 1, Section 7.

The Secretary of the Local Clearance and Zoning Board should become familiar with the provisions contained in the Code which are to be followed in the case of appeal. (Article VI, Part 1, Section 7.) The procedure for an appeal is mandatory and must be strictly followed by the appellant.

The Secretary shall be helpful and sufficiently informed so as to answer correctly questions as to procedure. Constant reference to the printed text and to any instructions issued by the Code Authority will prevent mistakes and duplication of work.

Pursuant to a resolution adopted unanimously by the Code Authority on February 16th, 1934, a copy of which is annexed hereto, the Local Clearance and Zoning Board shall immediately after organization is completed, perform and discharge its duty by receiving any and all protests from members of the industry against any existing clearance and zoning as to their respective theatres alleging that such clearance and zoning is unreasonable in length and/or area, and that the Local Clearance and Zoning Board shall decide the issues raised by such protests after notice and hearing to the parties affected.

Provisions of the Code shall govern with respect to the time of making decisions and the procedure thereafter. (Article VI, Part 1, Sec. 7.)

The Secretary of the Local Clearance and Zoning Board shall become familiar with all the provisions contained in the Code which are particularly applicable to the duties and jurisdiction of the Local Clearance and Zoning Board.

Rules for Local Clearance and Zoning Boards

II
Organization

Sec. 1. Meetings of the Local Clearance and Zoning Board shall be held in the city of.....at such time and place as shall be designated by such Board. Notice of each meeting of the Local Clearance and Zoning Board shall be given to each member by the Secretary at least three (3) days prior to the date thereof. Any notice to be given any member of the Local Clearance and Zoning Board shall be deemed given sufficiently and completely if and when delivered or mailed to such member at his address appearing on the records of the Local Clearance and Zoning Board. The members of the Local Clearance and Zoning Board shall not be entitled to nor shall they be paid any compensation for their services. For attendance at meetings, each member of the Local Clearance and Zoning Board shall be paid the amount itemized in writing by such member and approved by the Secretary, as having been expended by him for railroad fare to travel from his place of business or residence, whichever is nearer, if not in the city of....., and for necessary hotel room expense not to exceed Five Dollars ($5.00) per day.

Sec. 2. In the case of the absence, ineligibility or incapacity of any member of the Local Clearance and Zoning Board to act at any meeting thereof, the Chairman shall appoint as temporary member, a member of the same classification from the Local Grievance Board, provided that such member is avaliable to serve. In the event he is not available, a temporary member shall be selected unanimously by the members of the Local Clearance and Zoning Board from the same general class of the absentee member. In the event of failure to obtain a unanimous choice, the temporary member shall be appointed by the Code Authority. The temporary member shall act only for the time during such meeting that such regular member shall be absent, or ineligible or incapacitated. If a vacancy occurs because of death or permanent ineligibility or permanent incapacity, the vacancy shall be filled by the Code Authority.

At all meetings of the Local Clearance and Zoning Board the presence of all of the members shall be necessary to constitute a quorum and on all matters the vote of the majority of all of the members shall be deemed to be the action of the Local Clearance and Zoning Board. (Article VI, Part 1, Section 5). The impartial representative of the Code Authority shall vote only in case the vote of the other members is evenly divided.

Sec. 3. At each meeting of the Local Clearance and Zoning Board the members shall select a Chairman from their number with full voting rights, to preside at the meeting of the Local Clearance and Zoning Board and any recess thereof. The Chairmanship of the Local Clearance and Zoning Board shall be rotated among the members and each member shall in turn be selected to act as Chairman.

Sec. 4. The Code Authority of the Motion Picture Industry shall appoint and fix the compensation of the Secretary, who shall be a person not a member of the Local Clearance and Zoning Board. The services of the Secretary may be terminated at any time by the Code Authority. The Secretary shall keep a record of the proceedings of all meetings of the Local Clearance and Zoning Board and of all other matters of which a record shall be required by the Code Authority. The Secretary shall take minutes of all protest hearings in such form and to such extent as the Code Authority shall direct, and such minutes shall be part of the record. The Secretary of each Board shall make application to the proper State or Municipal Authority for appointment to administer oaths and shall at all hearings administer the oath to all witnesses. The Secretary shall issue notices of all meetings and shall perform such other duties as may from time to time be designated by the Code Authority.

Sec. 5. Neither the Local Clearance and Zoning Board nor any member thereof or the Secretary shall make any commitment for expenditures other than necessary hotel room expense or railroad fare as provided for in Section I hereof without first obtaining written approval therefor from the Code Authority.

Sec. 6. These rules may be amended and added to at any time by the Code Authority.

Sec. 7. The jurisdiction of the Local Clearance and Zoning Board shall be limited as specifically provided (Article VI, Part 1, Section 9) and such Board shall hear no questions other than those pertaining strictly to clearance and zoning matters.

III
Procedure

The Local Clearance and Zoning Board may receive and decide only such matters as are specified in a written protest sworn to by the protestant and filed in triplicate with the Secretary, who shall forthwith deliver a correct copy thereof to each party whose interests may be affected by the decision.

IV
Protests
(Article VI, Part 1, Section 7)

Sec. 1. All parties concerned in any protest may appear in person or by attorney. They shall be notified of the time and place of hearing, by the Secretary at the same time the Secretary notifies members of the Local Clearance and Zoning Board.

The authority of the members of the Local Clearance and Zoning Board to hear protests is derived from and limited by the Code of Fair Competition for the Motion Picture Industry. Members are not bound by the technical rules of evidence but should refuse to admit evidence which is immaterial or irrelevant. Members are without power or authority to make any decisions which shall be at variance with provisions of the Code of Fair Competition for the Motion Picture Industry or any interpretation thereof by the Code Authority.

Sec. 2. In arriving at a conclusion, each member should be mindful that his responsibility is as great as that of a judge sitting in a court of law. Each member should be actuated by principles of justice. Members of Local Clearance and Zoning Boards must be impartial. They cannot be impartial if they have any private agreements respecting the subject matter of the protest.

Sec. 3. The members shall so conduct the hearing as not to prejudice the interests of any interested party. If any information is received or in their possession, open disclosure thereof must be made during the hearing of any protest.

Sec. 4. The members shall observe the following rules.

(a) all witnesses must be sworn. The following form of oath shall be used: "Do you solemnly swear that in the matter of the protest of ..... you will tell the truth, the whole truth and nothing but the truth, so help you God?"

Sec. 5. The protestant and all parties concerned or their attorneys shall be given full opportunity to cross-examine all witnesses, and present their own witnesses in rebuttal. The members may during the hearing question the protestant and witnesses and all interested parties if they so desire, without unduly interrupting the orderly conduct of the hearing. The members shall remember to

(a) permit all interested parties or their attorneys to briefly sum up their case.
(b) adjourn the hearing to a future date for good reason. Take all possible steps to avoid unnecessary delays to the end that all hearings be expedited.
(c) confer immediately at the end of the hearing to arrive at a decision based solely upon the evidence submitted.

Sec. 6. Members of Local Clearance and Zoning Boards are cautioned to

(a) refuse to admit evidence which is immaterial or irrelevant.
(b) refuse to consider evidence if no opportunity is afforded for cross-examining of the witness whose evidence is offered.
(c) postpone only for compelling and proper causes a hearing already set.
(d) avoid reaching a decision before the close of the case.

V
Decision

Sec. 1. The decision must clearly reflect the opinion of the majority of the members of the Local Clearance and Zoning Board. There can only be one decision. Accordingly, the members should never make any decision which

(a) contemplates further action of any kind by the Local Clearance and Zoning Board.
(b) reserves to the members further powers or action.

Decisions of a Local Clearance and Zoning Board wherever possible should be unanimous and may be publicized.

Sec. 2. All decisions must be in accordance with the provisions of the Code of Fair Competition for the Motion Picture Industry and in accordance with any interpretation thereof by the Code Authority.

Sec. 3. The decision should be certain in its terms and simple in its language. It should state in clear and simple language the decision of the Local Clearance and Zoning Board. Each decision should be so phrased as to be possible of performance. Each member shall sign the decision indicating whether he votes in favor thereof or dissents therefrom.

Sec. 4. Members of the Local Clearance and Zoning Boards are not required to state the reasons for the conclusions reached, but may do so if they see fit. The members may incorporate their reasons in an opinion accompanying the decision if they or any of them so desire.

Sec. 5. A protestant desiring a stenographic transcript of the proceedings and testimony may employ a competent stenographer, approved by the Local Clearance and Zoning Board. In the event of appeal, such transcript may be used only when certified to as correct by the Local Clearance and Zoning Board.

Sec. 6. Upon the filing of a notice of appeal from any decision of a Local Clearance and Zoning Board, the Secretary shall notify all affected parties.

VI
Resolution Unanimously Adopted by the Code Authority on February 16th, 1934

"Whereas, Article VI, Part 1 of the Code of Fair Competition for the Motion Picture Industry contemplated that Local Clearance and Zoning Boards should be established prior to January 1st, of each year to set up fair, just and equitable schedules of clearance and zoning to provide against clearance of unreasonable length and/or area, and

"Whereas, for the year 1934, the date of January 1st was indefinitely postponed by reason of unavoidable delay in establishing such Clearance and Zoning Boards and

"Whereas, the selling season of the industry is but a short time off and it is necessary to simplify and expedite the functions of such Boards and direct their activities and qualify their procedure, now on motion by Mr. Bareford, seconded by Mr. Yamins, it is unanimously

"RESOLVED: That Clearance and Zoning Boards shall perform and discharge their duties by receiving any and all protests from members of the industry against any existing clearance and zoning as to their respective theatres alleging that such clearance and zoning is unreasonable in length and/or area, and that such Boards shall decide the issues raised by such protests after notice and hearing to the parties affected; and that with respect to the time of making of decisions and the procedure thereafter, the provisions of the Code shall govern."

The manual concludes with the oath form, facsimile of which was published in MOTION PICTURE DAILY on March 10.

Secretaries Soon

Thirty-one secretaries for the 62 clearance and zoning and grievance boards are expected to be named within the next two weeks. Members of all boards will send in their nominations this week and the authority will officially appoint them before April 1.

Used in 7 out of 8

American Pictures in

"1933's TEN BEST"

OF THE Ten Best Pictures of 1933 chosen in the *Film Daily's* poll, eight were American productions. Of those eight, seven were photographed on Eastman "Gray-Back." This is outstanding evidence of the acceptance enjoyed by Eastman Super-Sensitive Panchromatic Negative among cameramen and producers . . . and a signal tribute to the versatility and unfailingly high quality of the film itself. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN *Super-Sensitive*

Panchromatic Negative (Gray-Backed)

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

Vol. 35. No. 65 NEW YORK, TUESDAY, MARCH 20, 1934 TEN CENTS

Patman Bills Believed Dead for This Session

Code Boards Are Asked to Meet Quickly

Want Early Start and Expense Estimate

With the sending out of manuals of rules and regulations for clearance and zoning and grievance boards, Executive Secretary John C. Flinn of the Code Authority yesterday requested affiliated distributors on the grievance boards and independent first run exhibitors on clearance and zoning boards to get together and immediately call joint meetings of both boards in each territory. Purpose of the sessions is to get the men acquainted with the contents of the man-

(Continued on page 4)

Daily Gives Board Choices to Seattle

SEATTLE, March 19.—First notification of the impartial appointees to the clearance and zoning and clearance boards was given to the trade here by MOTION PICTURE DAILY through its local representative. When exhibitor and exchange members of the two boards were notified of the appointment of Judson T. Jennings and O. C. Dutton on the grievance and clearance groups, respectively, they expressed approval of the impartial members and appreciation to MOTION PICTURE DAILY for supplying first information on the matter.

Expect to Complete Boards on Thursday

Personnel of the New York and Philadelphia clearance and zoning boards will in all probability be announced Thursday following the Code Authority meeting. Impartial members, believed set for these boards and Minneapolis, are now being checked and will most likely be approved by

(Continued on page 4)

The Latest

The other night in Atlanta an exhibitor — name edited out—got on his two feet and announced to his audience, of which there was little:

"Due to a lack of patronage, I am raising my prices from 15 cents to 20 cents."

James R. Grainger brought this one back yesterday from the South.

Pillories Circuit Operation By Remote Control from N. Y.

By DAVID J. CHATKIN

CLEVELAND, March 19.—Circuit operation of theatres by remote New York control as it exists today cannot, in my opinion, continue to function in this manner very much longer. It is slowly but surely becoming apparent that these theatres are only rising and falling with the tide of general conditions and under the present setups can never return anything regularly on their investments.



So-called circuit operation reached its peak in 1931. At that time I was the operating head of the circuit comprising the largest number of theatres in the country, scattered practically through all of the 48 states. I had at my command some 20-odd years of experience in every phase of the motion picture industry, in addition to actual, first-hand acquaintanceship with each of the theatres in every state. Therefore, I felt myself fully equipped to sit behind a desk in a big building on Broadway and with the aid of countless managers, district managers, division managers, etc., to operate this business.

I recall on many occasions discussions with other executives in which

(Continued on page 11)

A Line on Chatkin

IN 1931, the capital investment of theatres owned in toto, owned in part or operated by Paramount Publix had reached the staggering sum of approximately $250,000,000. This figure may be conservative.

In point of number of theatres about which Publix had anything at all to say at that time, the total ran somewhere between 1,200 and 1,300. In charge of the works under Sam Katz was David J. Chatkin, one-time general sales manager of Educational and for six years prior to '31 a ranking theatre executive at Publix.

In that year, circuit expansion had reached its zenith and, of the biggest circuit of them all, Chatkin was the operating head. Today, he is identified with Monarch Theatres, a small chain operating in Indianapolis, Akron, Youngstown and Steubenville, but, in the light of his experience in affairs considerably farther flung, the author of the accompanying article is well qualified to speak his mind.

KANN

F. & M. Tips Prices; Others May Follow

What may develop into a general move to tilt admissions on the West Coast is seen in a plan of F. & M., following its recent step in St. Louis, to hike the tariff in its houses along the Pacific seaboard.

As a reflection of the swing, prices at the Paramount, Los Angeles, in the last few day have been increased from 25 cents to 35 cents from opening to 1 P. M.; from 25 cents to 40 cents from 1 P. M. to 6 P. M., while dur-

(Continued on page 8)

Majestic Men Here For Company Talks

Majestic franchise holders yesterday started a series of conferences with Herman Gluckman, president; William D. Shapiro and E. H. Goldstein, vice-presidents, which revolve around the production plans of the organization. Current expectations are that production will be resumed in about two weeks. By that time, it is ex-

(Continued on page 8)

RCA Men Silent on London Radio Story

RCA executives were non-committal yesterday when queried on a report published by the *London Sunday Dispatch*, which attributed an alleged attempt by American interests to secure

(Continued on page 8)

Reformers for Federal Board; Hiss Connery During Hearing

WASHINGTON, March 19.—Consensus of opinion here at the close of the hearing on Congressman Patman's bill to create a Federal commission to control films was that both this bill and Patman's other bill aimed at block booking are dead for this session at least.

The hearing was conducted by the House Interstate and Foreign Commerce Committee.

Patman and other proponents of the bill protested they were not seeking any sort of censorship, but they were quick to hiss Congressman Con-

(Continued on page 12)

Chicago Mayor Asks More Censor Money

CHICAGO, March 19.—Mayor Kelly swung back at film interests this week by asking the City Council Finance Committee for an additional $40,000 for the censorship budget. This is viewed as a counter move to offset the disclosure recently that while local distributors and theatres paid out approximately $70,000 a year in censor and inspection fees, the actual cost of operating the censor board amounted to only $37,000 last year.

The Mayor is reported proposing to hire additional inspectors to visit theatres with the extra money he feels the censorship department needs. This move, if sanctioned, would automatically kill any hope of relief that local distributors are seeking.

Vidor Clinches Deal With U. A. as Indie

HOLLYWOOD, March 19.—King Vidor has definitely established himself as an independent producer by completing a deal to release his first production on his own, "Our Daily Bread," through

(Continued on page 8)

Such Is Fame

The price of popularity.

John C. Flinn is getting fan mail.

All requests for photos must be accompanied by 25 cents in cash.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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Gulf States Shifts Date to April 3-4

NEW ORLEANS, March 19.—The date of the proposed convention of the Gulf States Theatre Owners' Ass'n., has been changed from April 10 and 11 to April 3 and 4, so delegates to the M.T.O.A. convention passing through this city may attend, if they wish.

Franklin Reaches Coast

HOLLYWOOD, March 19.—Harold B. Franklin arrived in Hollywood yesterday on his first visit in more than a year. While here he will probably settle one of the many production deals he has under negotiation.

MOTION PICTURE ALMANAC

1934-35

NOW IN PREPARATION

WHERE THE WORLD LOOKS FOR MOTION PICTURE facts

PRICE $5.00



Purely Personal

UP and down the generous stretches of The Tavern for luncheon yesterday; but not all in one party, were:

LESLIE THOMPSON, J. R. McDONOUGH, NATE BLUMBERG, JOE PLUNKETT, ARNOLD VAN LEER, BEN ROSENBERG, RALPH POUCHER, FRANK SELTZER, SAM JACOBSON, HARRY BUCKLEY, PAUL LAZARUS, HARRY ASCHER of Boston, EDDIE DOWLING, CAPT. BAYNES, HARRY BRANDT, BOB WOLFF, JOE MOSKOWITZ, ARTHUR FRIEND, AMEDEE VAN BEUREN, FRANK BUCK, BOB GOLDSTEIN, JIM ALEXANDER of Pittsburgh, JACK JOSSEY of Cleveland, EDDIE GOLDEN and GEORGE BATCHELLER.

JEAN HERSHOLT and MRS. HERSHOLT and their son, ALLEN; GREGORY LACAVA and FLORENCE and ARTHUR LAKE arrived in town yesterday and are at the Warwick.

SOL M. WURTZEL, Fox producer, will reach New York tomorrow on a search for story material. He will return March 30 with HAMILTON MACFADDEN, director.

RALPH STAUB, Vitaphone director, has been offered a directorial job in Russia, but can't accept because his Warner contract runs to September.

GROVER JONES, Paramount scenario writer, will sail for England Wednesday on the *President Harding* for a a vacation.

JOSEPH BERNARD, head of Warner theaares, returned yesterday for a three-week trip to the coast.

SAM E. MORRIS accompanied H. M. WARNER and SAM SAX on that European trip.

SIDNEY SAMUELSON is on a Southern cruise. Has a bad cold he wants to get rid of.

SOL A. ROSENBLATT was in town over the week-end, but very few knew it.

MORRIS GEST and NATIKA BALIEFF are slated as Cheese Club guests today.

MAX HAYES and CHARLES W. BEALL on Saturday held a cocktail party inaugurating their new offices in the Palace Theatre building. HAYES and BEALL are head of Novelty Pictures, Inc., producing a number of commercial shorts at Oceanside, L. I.

LOU B. METZGER's trip to Europe will last two months during which time he will arrange distribution of "Elysia," the foreign rights to which he owns. While abroad he may acquire product for domestic handling. He sails tomorrow.

MIRIAM HOPKINS will return to the coast Friday. During her stay here she has purchased the home of the late ELISABETH MARBURY at 13 Sutton Place.

JOSEPH QUITTNER, former theatre operator at Torrington, Conn. (not the Middletown, N. Y., Quittners), is the new burlesque magnate at the Central and in Atlantic City.

JOSEPH SCHNITZER'S new company is named Mutual Prod., Inc., which last week completed a commercial short at the Oceanside, L. I., studios.

RICHARD ARLEN and MRS. ARLEN (Jobyna Ralston) and their 10-month-old son are on the high seas bound for Europe.

AGNES DE MILLE'S measles subsided Saturday, so she has left for the coast.

CHARLIE PERRY, manager of the U. A. Aldine in Philadelphia, spent the week-end in New York.

BARNEY PITKIN, New Haven RKO exchange manager, has been in town the last few days.

JEAN MUIR will arrive in town shortly to attend the premiers of "As the Earth Turns."

NEIL AGNEW and MILT KUSELL return tomorrow from a cruise in southern waters.

OSCAR HANSON did his strolling up Broadway slowly yesterday morning.

HELEN KANE gets in from the coast today on the *Santa Paula*.

Most Issues Off on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	27¾	26¾	27	— ⅞	300
Consolidated Film Industries	4⅜	4⅜	4⅜	.....	200
Consolidated Film Industries, pfd	15½	15½	15¼	— ½	100
Eastman Kodak	89	88	88¼	—1¼	800
Eastman Kodak, pfd	132	131½	132	+ ¾	4,000
Fox Film "A"	15½	14⅝	14⅝	—1	400
Loew's, Inc.	31⅝	30½	30⅞	— ⅝	10,300
Paramount Publix	5	4⅝	4⅞	— ⅛	6,200
Pathe Exchange	3½	3¼	3¼	— ¼	1,600
Pathe Exchange "A"	19¼	18⅝	18¾	— ½	1,800
RKO	3½	3¼	3¼	— ⅜	2,400
Warner Bros.	6⅝	6⅜	6½	— ⅛	2,400

Technicolor Off ⅜ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	8¾	8⅝	8⅝	— ⅜	2
Trans Lux	2	2	2	.....	10

Warner Bonds Drop One

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	10	9½	9½	— ½	12
General Theatre Equipment 6s '40, ctf	8¾	8¾	8¾	— ¼	1
Keith B. F. 6s '46	63⅝	63½	63½	— ½	3
Loew's 6s '41, ww deb rights	98½	98½	98½	.....	1
Paramount Broadway 5½s '51	32¾	32	32¾	— ⅜	12
Paramount F. L. 6s '47	50	49	49	—1	7
Paramount Publix 5½s '50	50	49¾	49¾	— ¼	35
Pathe 7s '37, ww	93¾	93¾	93¾	— ¾	2
RKO 6s '41, pp	36	36	36	—5	1
Warner Bros. 6s '39, wd	56	55	55	—1	26

Well Known Names On Club List No

Many of the best known names the New York film fraternity a members of the reorganized Moti Picture Club, which to date has roster of 225. The roll call includ

William Alexander, Jack Alicoate, Har Auten, J. Bray, David Bernstein, Joe B nat, Joseph Bernhard, David Blum, Lo Blumenthal, Milton Blumberg, Lawre Bolognino, Richard Brady, Leo Brech Colvin Brown, Henry Brown, Joe Bran Jules Brulatour, Harry Buckley, Sam B ger, Nathan Burkan, Irving Chidnoff, Lo Cohen, Harry Cohn, Jack Cohn, M. Comerford, Ed Curtis.

Meyer Davis, George Dembow, Sam De bow, Howard Dietz, S. Dornbusch, Herb Ebenstein, Sam Eckman, S. C. Einfeld, Emanuel, Si Fahian, Felix Feist, Leon Fi William Ferguson, A. E. Fiegel, Don Flamm, William Frankel, W. J. Germ H. Glucksman, Jacob Glucksman, Goetz, Charles Goetz, Morris Goodm J. R. Grainger, Will Hays, J. A. Hirs J. Hoffberg, Gabriel Hess, M. H. Hoffm Hal Horne, J. C. Hornstein.

William Jacobs, Emil Jensen, Al Jol Kay Kamen, M. J. Kandel, Maurice Ka Sam Katz, Leo Klebanow, M. A. Kra A. A. Lee, Jack Leo, Sol Lesser, L Leventhal, Jack Levin, Nathan Levy, Lichtman, Arthur Loew, David Loew.

Austin Keough, Leo Luhin, J. A. McC ville, Fally Markus, William Massce, J chell May, Jr., A. Montague, Borros M ros, Charles C. Moskowitz, Louis Ni Lee A. Ochs, L. N. Olmsted, A. Pelter C. C. Pettijohn, Louis Phillips, Ma Quigley, Phil Reisman, Henry Reston, Roach, Herman Robbins, Harold Rod M. Rosenbluh, James L. Ryan, Lou Ry E. A. Schiller, A. Schneider, A. Schwa Si Seadler, Jack Shapiro, Ben Sherr M. A. Silver, Sid Silverman, Sp Skouras, William Small, C. J. Sonin, J B. Spingold, Henry Siegel, Morton Spi William Tenney, Harry Thomas, W Trumhall, Arnold Van Leer, M. Van Pr William Vogel, Louis Vorhaus.

Frank C. Walker, Walter Wanger, H M. Warner, Sidney Weil, Milton Weis George Weltur, Herman Wiener, Ir Wormser, Robert Wolff, Herbert J. Y C. Zenker, H. Zenker, Tom Wiley, Ad Zukor and Eugene Zukor.

Farewell Dinner fo Jos. Nolan Tonig

RKO Radio executives and emplo 100 strong, will tender a farewell ner tonight at the Park Central Joseph Nolan, for the past five y assistant secretary of the RKO tributing Corp., who leaves for coast Thursday to become assis to B. B. Kahane, president of R Studios.

Among those present will be:

J. R. McDonough, Ned Depinet, L. E. Thompson, Herman Zohhel, Blumberg, Frank Snell, Phil Reis Robert F. Sisk, William C. Clark, Wi Mallard, Cresson Smith, Gordon E. Yo man, E. L. McEvoy, S. Barrett Mc mick, A. J. Mertz, Bob Wolff, M Poller, A. A. Schuhart, Leon J. berger, W. V. Derham, John Dowd, gers Neilson, Robert Hawkinson, H Hendee, Harry Gittelson, Lou Gau Amos Hiatt, E. A. Horne, Frank Ken Milton Maier, Fred Meyers, Lou M J. P. Skelly, David Thompson, M. F man, D. P. Canavan, William Dahler, Ellis and Henry Holmes.

Weir Funeral Toda Interment in Peo

Funeral services for Hugh C. W editorial director of Tower M zines, Inc., who died Friday i 50th year, will be held at 2:30 P today at the Funeral Church, B way and 66th St. Interment wi in Peoria, Ill., once the home of W who was also widely known as a elist and a writer of short st magazine articles and scenarios.

Weir began his career as a r paperman, switching at 20 to sce writing for Universal. In 1923 h turned to editorial work.

Surviving are his widow and a

THE GREATEST PICTURE OF ITS KIND . . . . BOOKED INTO THE GREATEST THEATRE ON EARTH



FRANK BUCK'S "WILD CARGO"

OPENS RADIO CITY MUSIC HALL THURSDAY, MARCH 29

VAN BEUREN PRODUCTION

DIRECTED BY ARMAND DENIS

RKO RADIO PICTURE

KMTA Plans Campaign for Membership

KANSAS CITY, March 19.—An educational campaign to acquaint the public with the community importance of the theatre is planned by the Kansas-Missouri Theatre Ass'n. as part of an elaborate program of activity to be launched under the leadership of A. F. Baker, president, and R. R. Biechele, newly elected secretary-treasurer.

The directors, meeting here, approved the plans and decided to initiate a membership drive to be launched at a convention here. Every exhibitor in the territory not now a member will be invited to join. A questionnaire on code administration designed to indicate to grievance and clearance boards the sentiments of exhibitors will be sent out.

A statement by the directors said that the association's program will "sell the organization to the exhibitors and the exhibitors to the public." Members will be given a sticker to affix to box-office windows stating that the owner or manager is affiliated with the K. M. T. A.

Directly in charge of the public relations work will be the directors in their districts, comprising S. E. Wilhoit, Springfield, Mo.; C. C. McVey, Herington, Kan.; Sam Blair, Belleville, Kan.; John C. Stapel, Rockport, Mo.; E. B. Danielson, Russell, Kan.; Tom Edwards, Eldon, Mo.; Baker and Biechele.

Taking cognizance of criticism directed at Biechele from some quarters because of the fact he is liaison officer between Kansas City distributors and the Kansas censor board, the directors' statement declares that in this work Biechele represents the interests of the exhibitors, that his present activities are indispensable and that "he can be depended upon to represent the best interests of exhibitors at all times."

Visitor Ban Studio Drive for Economy

HOLLYWOOD, March 19.—Barring of all visitors from studios is part of the drive to cut down overhead. It is figured delays on sets will be avoided and players will not be annoyed. The order came from the Producers' Ass'n. with the backing of all studios, but M-G-M and Fox have already issued instructions that no guests would be received in studio restaurants except with permission from executive offices.

Miller Fights Charge

CHICAGO, March 19.—Counsel for Jack Miller has interposed a motion to quash the contempt of court charge growing out of his alleged refusal to answer questions before a Federal grand jury on payments to Tom Maloy. This leaves the date for the next hearing open.

Pasteur Story for Fox

HOLLYWOOD, March 19.—Winfield Sheehan has bought "Humanity First," a story based on the life of Pasteur, for early production with Warner Baxter, Helen Twelvetrees and Mona Barrie heading the cast.

"Harum," "One Night" and "Nana" Big Money-Getters

Three outstanding draws overcame the Lenten handicap in a number of key spots last week. They were "David Harum," "It Happened One Night" and "Nana."

"Catherine the Great" and "Queen Christina" also gave good accounts of themselves.

The Lenten slump hit all the first runs in Montreal except the Princess, where "It Happened One Night" and "Shadows of Sing Sing" made up a dual bill. The $7,500 take was $1,500 up. "The Ghoul," with a stage show at Loew's, took a fair $10,000, but two duals, "Eskimo" and "Oliver the Eighth," at the Capitol, and "This Side of Heaven" and "The Girl From Maxim's" at the Palace had a hard time of it.

Only one house in Detroit exceeded average. It was the Fox with 'I Believed in You" on the screen and Morton Downey heading a stage show. The $18,300 gross was over normal by $3,300. Every other house suffered badly, although "Queen Christina" had a fair $9,400 in its second week at the United Artists. The weak ones were: "Devil Tiger" at the Downtown, "Mandalay" at the Fisher, "Bolero" at the Michigan, and a dual, "Love Birds" and "Advice to the Lovelorn," at the State.

"Harum" Good in Twin Cities

"David Harum" rolled up $13,500 at the Minnesota and Paramount in Minneapolis and St. Paul Three other good draws in Minneapolis were: "Dark Hazard," with $6,500 at the RKO Orpheum; "Palooka," with $6,000 at the State, and "Emperor Jones," with $2,500 in its second week at the World. "Moulin Rouge" had a fine $4,000 at the St. Paul Riviera. "Mandalay" was normal with $4,000 at the RKO Orpheum. "Comrades of 1918," a German offering, pulled $2,000 at the World.

Cleveland had a bad week. "The Avenger" with "Bottoms Up" on the stage at the Allen, topped the list with $6,000. "Success at Any Price" and five acts of vaudeville was off at $15,000 in the RKO Palace. One dual, "She Made Her Bed" and "Cross Country Cruise," topped average at $4,100 at Loew's Stillman. "Bolero" at Loew's State, "Journal of a Crime" at Warners' Hippodrome and "Frontier Marshall" and "Woman's Man" at Warners' Lake failed to stir up any excitement.

"It Happened One Night" was a box-office tonic in Portland. The $9,000 gross at the Paramount, with "Ever Since Eve" as the other half of a dual bill, at the Paramount went over by $3,000 for a total of $9,000. "Money Can't Buy Everything" and "Love Birds" were also strong with $6,400 at the Broadway, and "I Like It That Way" and "Two Alone" reached the Hamrick's Oriental par with $2,000. Weak ones were: "Palooka" at United Artists, "Oliver Twist" and "Woman's Man" at Pantages, and "Man of Two Worlds" at Hamrick's Music Box.

Philadelphia had what it takes to bring out the cash customers. "Catherine the Great" hit $7,500 at the Fulton, nearly double the average house gross. "Six of a Kind," with a stage show headed by Joe Penner, piled up $38,000, over average by $17,000. "Sleepers East" was strong at $6,700 at the Pitt, with a stage show. "Jimmy, the Gent," did a fine $5,500 at the Warner. "Wonder Bar" was a disappointment with $8,000 at the Stanley. "Long Lost Father" and "Meanest Gal in Town" failed to pan out at the Davis.

"Death Takes a Holiday" was a surprise in Los Angeles. Its $21,875 take with an F. & M. show at the Paramount was $3,875 up. "It Happened One Night" was also strong, reaching $8,700 at the RKO. "Queen Christina" held up to $14,800 in its fifth week at Grauman's Chinese. "Nana" fell off to $7,500 in its second week at United Artists. "Devil Tiger" was pulled after four days of its third week at the 4 Star. "Dark Hazard" was pretty weak at Warners' Hollywood and Downtown and "The Mystery of Mr. X" failed to make an impression at Loew's State.

In Indianapolis "David Harum" led the town in its second week at the Apollo, getting $5,000, and "Nana" had a strong $4,500 at the Palace. "Mandalay" took a normal $3,000 at the Circle. "Ever Since Eve" was weak with $5,500 at the Lyric and a dual, "Meanest Gal in Town" and "Ninth Guest," reached $4,000 at the 3,000-seat Indiana.

Boston Prospers

Big grosses were the rule rather than the exception in Boston. "It Happened One Night" went to $21,000, up by $5,000, at Keith's; "Coming Out Party" was an $18,000 wow at the Boston; "Death Takes a Holiday," with a stage show, piled up $34,000 at the Metropolitan, and "Looking for Trouble" was good for $18,000 at Loew's State. Even the double bill, "Dark Hazard" and "She Made Her Bed," was a $9,000 par draw at the Paramount. The only weak bill was the same dual at the Fenway.

With a total first run business of $21,900, Oklahoma City had an unusually good week. "Four Frightened People" and a stage show topped par by $1,000 at the Warner. The take was $7,500. "David Harum" was a $7,000 sensation at the Midwest. "Nana" got an average $2,000 at the Capitol. "Fashions of 1934" took it on the chin at the Criterion with $3,600, and the Liberty's split bill, "Love Birds" and "The Crosby Case," was low.

Business fell off in Chicago with the total first run gross of $129,000 below normal by $8,000. "The Cat and the Fiddle" made the best showing, taking $41,000, up by $6,400, at the Chicago. "Palooka" was strong at $18,000 at the United Artists. "David Harum" took an above-par $14,000 at McVickers, but the other first runs had nothing to get excited about. "Blood Money" at the Oriental, "Success at Any Price" at the Palace, "The Song You Gave Me" at the State-Lake and "Massacre" at the Roosevelt were poor draws.

Vending Code Submitted

WASHINGTON, March 19. — The vending code has been submitted to the NRA and a hearing will be set shortly.

Code Boards Are Asked to Meet Quickl

(*Continued from page* 1)

uals and to review the code in ge eral.

Members of the boards are bei asked to send in recommendations i secretaries as soon as possible so Co Authority can make selections and the boards functioning.

The purpose of the joint meetin will be to gather figures on the es mated operating expense of lo boards on a monthly basis, in addit to data on possible salaries for sec taries.

At Thursday's meeting of the thority, a short budget will be proved. Code Authority operates a week-to-week expense budget from time to time has had as ma as 17 employes and as few as n Price, Waterhouse will make an au on April 1 for the first three mon operating expense of the author The report will be released about middle of next month.

A uniform blank for filing prot is being made up by the autho and will be mailed to the field shor The purpose is to have all compla in legal order. Grievances must filed in triplicate and in the ev of an appeal from a decision, a c of the grievance along with the d sion is sent to New York, where case will be reconsidered.

Expect to Complete Boards on Thursd

(*Continued from page* 1)

the division administrator on Th day.

Of the two plans submitted for N York, the favored outline is the calling for three main boards to h dle the three selling areas in Gre New York. Certain major circuits understood objecting to this plan, it is believed to be wanted by the jority of local groups.

Following a complete upset of Philadelphia boards, the selection c mittee is finding it difficult to n members without strenuous di proval of Quaker City independ However, this is expected to be ir out by Thursday.

Minneapolis Board Are to Be Revamp

Because two Allied men had signed the code and a third man declined to serve, the Minnea boards are being referred back to Code Authority board committee replacements. The committee n tomorrow at 2 P. M., when new pointees will be set for Joseph F man of St. Paul as the unaffiliatec hibitor of the grievance board an Jack Haywood and Fred V. Ho fel, Allied men, on the clearance zoning board.

Edward Ruben was being co ered for a post on this board, bu cause of his affiliation with A his possible appointment is out. Minneapolis unit has not signed assent forms.

roduction On Coast Up; 40 Under Way

Hollywood, March 19.—Production the week ending March 17 shot k to normal with a total of 40 ures in work as against 37 for the ceding week. Short subjects pped, however, with only five work- as against 11 the preceding week. small total of 16 features in final paration is not a very healthy sign continued normalcy. However, sev- of the major plants are whipping ies into shape.

Paramount led the field last week h a total of nine features in work, preparing and five in the editing es. Fox followed with five, two five; Warners, five, zero and eight; umbia, four, two and three; Uni- sal, four, one and three; M-G-M, e, two and nine; Radio, two, four three; Century, two, zero and one, le the independent group of fea- producers reports total of six, e and five.

n the short subject division a total ive subjects were in work, 14 pre- ing and 21 in the editing stages. ne of the majors reported a single ject working, but the independent up had a total of five. The score as tands for the week shows M-G-M h none working, three preparing two editing; Roach, zero, two and r; Universal, zero, one and one; umbia, zero, zero and two; Radio, , three and four, with the inde- dent group showing five, five and nt.

Drop Operator Ordinance

Wilmington, March 19.—A proposed ordinance to require one operator for each projection machine and to have not less than two operators on duty at all times, which was given its first and second readings by City Council, will not be called up for further action. Theatre managers explained that all theatres with but one exception have been complying with these requirements and that the lone exception had agreed to do so.

Cincy Mayfair Closed

Cincinnati, March 19.—After operating two weeks under ownership of J. Ebersole Crawford and Dr. John R. Loofbourow, the Mayfair, 400-seat arty house, has gone dark for the remainder of Lent. The house reopens April 1, with "Sweden, Land of the Vikings."

To Open in Morganton

Morganton, N. C., March 19.—Opening of the Carolina will take place within a few days. Sound equipment is now being installed and the building is being remodeled. Vernon David will operate the house.

Pittsburgh Warner Cuts

Pittsburgh, March 19.—To meet downtown competition, the Warner has cut its scale from 50 to 40 cents at night. This is to bring it in line with the Fulton.

Pa. Censor to Lecture

Philadelphia, March 19.—Samuel D. Schwartz, chairman of the Pennsylvania censors, is going to deliver a series of lectures on talking films at the Fitzsimmons Junior High School.

Oberlin Slant

Oberlin, O., March 19.—Sob scripts and tear-jerking pictures are taboo in this college town, according to Jerry Steel, who operates the Apollo.

"Patrons are fed up on the weeping type of picture," says he. "Comedy-dramas have the call today, especially in this town."

Steel speaks from a long experience in exhibition during which he has carefully observed the general audience reaction to the various types of pictures.

Walkathon Ban Spreads

Milwaukee, March 19. — State cities recently adopting ordinances banning endurance contests include Oshkosh, Menasha, Marinette and Sheboygan. Walkathons are still operating in Fond du Lac, Oshkosh and West Allis and outside the city limits of Manitowoc.

Partly Shut Good Friday

Milwaukee, March 19.—Fred S. Meyer, president of the M. P. T. O. of Wisconsin and Upper Michigan, Inc., has announced that all local downtown theatres will remain closed on Good Friday until 3 o'clock in the afternoon.

Para. Holds Carroll

Hollywood, March 19.—Impressed with "Murder at the Vanities," Paramount has signed Earl Carroll to make another from an original story titled "Beaux Arts Ball."

K. C. Protest Over Choice Of Finnegan

Kansas City, March 19.—Objection to Thomas J. Finnegan as the impartial member on grievance for Kansas City is voiced by a member of the grievance board, who refused to be quoted. Formal objection may be filed with Code Authority. Displeasure with the appointment is based on the theory Finnegan, as Democratic ward committeeman, may permit political considerations and friendships to sway his decisions.

Other members of the board on which Finnegan will serve express no objection. While they hesitate to commit themselves because they are not familiar with his record, at the same time they believe Finnegan will be "fair and impartial." The impartial member has been district representative here for *Collier's* the last 30 years.

E. H. Wilkie, impartial member on clearance and zoning, meets with general approval, although, as in the case of Finnegan, most members of the board say they do not know him.

Wilkie was recommended to Code Authority by Jay Means, I. T. O. president, as the impartial member on grievance, but was placed on zoning instead.

Seidelman Back Soon

London, March 19.—Joseph and Mrs. Seidelman sail for New York on the *Berengaria* on March 28.

. . EXHIBITORS,

Spring in the air!



if you're playing . . .

Who? What? When?

Who are the latest appointees on code boards announced by Code Authority in New York?

More thumbnail sketches, gathered by MOTION PICTURE DAILY *correspondents, furnish the answer:*

Atlanta

ATLANTA, March 19. — HUBERT LYONS, who replaces Dave Prince on the grievance board, is Atlanta branch manager for RKO, having been transferred here but a few weeks ago in an exchange of posts with "Ching" Allen, former Atlanta branch manager. Lyons was Florida salesman for the old FBO for several years, and when that organization was absorbed by the present RKO-Pathe setup, went right on with the new layout. About four years ago he was made Jacksonville branch manager for RKO and only a few weeks ago came to Atlanta as branch manager here in an amicable change of posts with Allen. Lyons is well liked by all who know him, and it is believed his assumption of duties on the grievance board will meet with general approval in the territory.

ARTHUR LUCAS, who succeeds Lionel H. Keene on the grievance board, is a native Georgian, having been born in Savannah. He is president of the Lucas & Jenkins organization, operators of a string of theatres in Georgia, among which are the Fox, Paramount, Georgia and Capitol in Atlanta although he has the Lucas in Savannah, built several years ago, and houses in Macon. Others are in the lesser towns of the state.

Lucas is prominent in Georgia politics and civic life, having at one time been chairman of the board of regents of the school system of Georgia and also a member of the government public works board for Georgia before its activities were discontinued. He owns a fishing retreat at Point Peter, on the St. Marys River, called Lucas Lodge, at which he has entertained dozens of prominent figures.

Chicago

CHICAGO, March 19. — LOWELL BLAKE MASON, impartial member on the grievance, was born July 25, 1893. After attending John Marshall High School he emerged from Northwestern University an LL.B. in 1914. His marriage to Grace F. Gilbert of Chicago has been blessed with four children, William, Barbara Grace, Nancy Gilbert and Lowell B. Jr.

Shortly after being admitted to the bar in 1914 he served Chicago as assistant corporation counsel. In 1922 he was elected to the state legislature where he served until 1930. He is a member of the Illinois Social Hygiene League, Illinois State and Chicago Bar Ass'n, Illinois Aviation Commission, is a Republican in his politics and a 32nd degree Mason. His recreation is music and his home is Oak Park.

On several occasions in the past Mason has been called in by film interests locally to sit as arbiter. He was prominently in newspaper headlines for several years prior to October, 1927, in connection with what was known as the "million dollar wine scandal." At a second and final trial of the case Oct. 29, 1927, before a Federal jury in Judge Walter C. Lindley's court he, together with Major Percy Owen, former prohibition director for Illinois, was acquitted of all charges.

JUDGE HUGO MORRIS FRIEND, impartial member on clearance and zoning, was born in Prague, Bohemia, July 21, 1882, and came to America two years later. As a Chicagoan he obtained his early education in the Doolittle grammar school and the South Division High School. In the higher brackets he emerged from the University of Chicago in 1905 with a Ph. B.

He was admitted to the bar in 1908 and for several years practiced law with the firm of Felsenthal, Foreman and Beckwith and later with Foreman, Levine and Robertson. For a time in 1912 he was on his own, but later formed the firm of Schaffner and Friend. Following his post as master in chancery of the superio court of Cook County between 1916 and 1920 he was appointed judge of the circuit court by Governor Frank O. Lowden to fill a vacancy. He was subsequently elected for two terms between 1921 and 1933.

In his politics Judge Friend is known as a Republican. He is noted as an indefatigable worker for many causes and at one time served as president of the Young Men's Associated Jewish Charities. Among his clubs are the City Club, University of Chicago Alumni, Collegiate, Cambridge and Social Workers' Country. His residence is 4850 Kimbark Ave.

Omaha

OMAHA, March 19.—HENRY MO SKY, impartial member on grievance is a prominent local attorney. H was born here on Feb. 4, 1890, a tended Omaha public schools a Creighton University whence he w graduated with an LL.B. degree 1912.

He engaged at once in the practi of law in Omaha at various tim handling legal business for distrib tors, exhibitors and the local proje tionists' union. He has been lo interested in social welfare activiti and is a former president of the N braska State Conference of Soci Workers. He was one of the o ganizers and is a former preside also of the Omaha Welfare Feder tion and the Omaha Communi Chest. For several years, he was member of the welfare board of t City of Omaha.

Monsky served as president of t Omaha Council, Boy Scouts of Ame ica, and for several years was member of regional committee numb eight (midwestern states) of th organization.

G. F. NYE, deputy Douglas cour attorney and the impartial member clearance and zoning, is a native N braskan. He was born in Plainvi on June 10, 1897, where he also tended high school. He received A. B. from the University of Mich gan, matriculating to the Univers of Chicago where he was graduat with LL.B. degree in 1921. He pra ticed law for one year at Sagina Mich., and then moved to Omah

He acted as temporary secreta of the Omaha Film Board of Tra in 1924-25 during the re-organizati

(*Continued on page 7*)

Anna Sten

in the SAMUEL GOLDWYN Production of

"NANA"

with

Lionel Atwill • Richard Bennett
Mae Clarke • Phillips Holmes
Muriel Kirkland
Directed by Dorothy Arzner

Released thru UNITED ARTISTS



'Nana' $11,500 in Cincy

Albee (RKO) (3,300; 35-44)—'Nana' (UA). General opinion of critics complimentary to Anna Sten. Fast start and extra ad-vertising makes a dandy $11,500 look like a cinch take.

VARIETY

Boston Happy; 'Nana' 16G's

Orpheum (Loew) (3,000; 30-40-50) —'Nana' (UA) and vaudeville. Film likely to cash in on big ballyhoo weeks ago, which bad spoiled. Looks fos splendid.

'Nana' Sweet $12,500 Tops in Kansas City

'Nana' is on the Midland's screen and the star has been given a long and carefully planned campaign which did the trick and drew a swell opening.

Omaha

(Continued from page 6)

of the Film Boards. From 1925-28 he handled considerable legal business for the MPTO of Nebraska and Iowa. In 1931 he received his present appointment.

He is married and has a son, age 6. He is a member of the Omaha and Nebraska Bar Ass'ns, the Omaha Country Club and the Omaha Chamber of Commerce.

St. Louis

St. Louis, March 19.—David Nelson, substitute for Louis Ansell as the unaffiliated exhibitor member on the St. Louis grievance board, has been connected with picture theatres for 24 years, or since he left high school here.

In the early days he was a musician, but later became interested in exhibition. In 1919, he joined the Famous Players Missouri Corp. and for that company managed the Lafayette, Novelty and Grand-Florissant for various periods.

From early 1920 until April, 1924, he was manager for Harry Koplar's Webster Theatre in North St. Louis. Then he purchased the Irma and with his wife operated that house until March 29, 1925, when he was appointed manager of the new Maplewood in Maplewood, Mo. His wife continued to manage the Irma until October, 1925, when they sold the house. He remained as manager of the Maplewood for four years.

In March, 1929, he took a part interest in the King Bee on Jefferson Ave. but disposed of his interests in April, 1930. In June, 1930, he was made manager of the Wellston on Easton Ave. in Wellston, Mo., a suburb of St. Louis, and has been very successful with the house notwithstanding that the district from which it draws its principal patronage was very hard hit by the depression of 1929-34.

He is a member of the MP.T.O. of St. Louis, Eastern Missouri and Southern Illinois, an affiliate of the national M.P.T.O.A.

Who? What? When?

Robert Burnett, impartial member on grievances, is a member of the law firm of Stern & Burnett with offices in the Ambassador Theatre Building.

Born in St. Joseph, Mo., on Oct. 7, 1892, he received his early education in the grade and high schools of that city. Later he attended Iowa University and Missouri University, receiving his LL. B. degree from that institution in 1915.

Upon passing the Missouri bar examinations in June, 1915, Burnett immediately entered practice in St. Louis. When the World War involved this country in 1917 he enlisted in the Army Air Service as a private and worked his way up to a captaincy. When the armistice was signed he was stationed at Mineola preparatory to embarking for France. He was honorably discharged from the army in December, 1918, with the rank of captain.

During his legal career he has represented some film companies as their attorney, but has not had previous experience as an arbiter. He is a member of the American, Missouri and St. Louis Bar Ass'ns and of the Westwood Country Club.

Francis R. Stout, impartial member on clearance and zoning, was born in St. Louis in 1895. After attending the local public grade and high schools, he attended Missouri University in Columbia and then took his law course in Washington University, St. Louis, graduating in June, 1917, with his LL.B. degree. Admitted to the bar, he began to practice here in August, 1917. He is a member of the law firm of Stout & Spencer and is married. Stout has never been retained as counsel for any film concern, but has occasionally figured in legal cases for some of the companies. He is a member of the Missouri Athletic Ass'n.

Columbus Ideas on Boards Are Varied

Columbus, March 19.—Reactions among the exhibitors to the code boards, in the light of more mature deliberation, bring out some interesting sidelights.

Some, including a few habitual "conscientious objectors," see no reason for the existence of the boards, especially the grievance body, and contend that the industry will be involved in additional "red tape" without commensurate results. Others express themselves as feeling that non-resident members, unfamiliar with local conditions in a given situation, cannot possibly render service which will represent "the greatest good to the greatest number," regardless of their intentions. Diverse opinions are voiced all along the line.

Culled from the maze of suggestions as to how the interests of the exhibitor might best be served, if no boards existed, is the slant of P. J. Wood, secretary and business manager of the recently-organized Independent Theatre Owners of Ohio, whose idea is that a highly able disinterested man, aside from an attorney, of broad commercial experience be employed at each exchange center. His duties would be tantamount to those of a judge in a law court, and he would adjudicate exhibitors' cases. This arbiter would, of necessity, need be paid a salary of generous proportions. "But," says Wood, "he would be worth it."

"U" 1933 Loss Down $233,390 Under '32

Universal Pictures and subsidiaries showed a net loss of $1,016,893 for the year ended Oct. 28, 1933, according to the company's annual financial statement just completed. The report compares with a loss of $1,250,283 for the preceding year ended Oct. 29, 1932, and includes taxes and deduction of $583,614 for amortization and depreciation.

Blue Law Vote May 15

Ridgewood, N. J., March 19.—Repeal of blue laws and authorization for Sunday films will be voted on by Ridgewood May 15. Last year the liberal issue lost by 263 votes.

Dickinson Recovering

Lawrence, Kan., March 19.—Glen W. Dickinson, circuit head, has left St. Luke's hospital in Kansas City after three weeks' serious illness and is recuperating.

...and



Looking for Trouble

A DARRYL F. ZANUCK production
STARRING
Spencer TRACY
Jack OAKIE
Presented by JOSEPH M. SCHENCK

'Trouble' $10,500,

Boston, March 12. State (Loew) (3,000; 30-40-50)—'Looking for Trouble' (UA). Delighting patrons, with silver lining to expected $10,500.

First engagement at Boston clicks. big! Now watch for reports from St. Louis and Toledo!

20th CENTURY PICTURE

Released thru UNITED ARTISTS

F. & M. Tips Prices; Others May Follow

(Continued from page 1)

ing evenings the former 40-cent figure is now 55 cents.

In San Francisco the price list at the Orpheum has been upped from 25 cents to 35 cents for matinees and from 40 cents to 55 cents for evenings.

The coast move may be followed by F. W. C. and suburban exhibitors. Charles Skouras already is said to have given his whole-hearted approval to the move and will institute the changes shortly. Independents and suburban operators may also join the band wagon.

Because of the devaluation of the dollar and definite indications of an upward trend in business, F. & M. executives hold that prices must be raised to the level of present economic conditions.

Signs of business uptrend are conclusively evidenced in the run of "It Happened One Night," at the Fox, St. Louis, F. & M. officials state. The usual policy of week runs was broken down last week when the Columbia picture ran 19 days. On one of the days there was a snowstorm and the following day business more than doubled the usual day's receipts.

In this connection, circuit heads take the stand that future releases will stand on their own merits.

They figure that if a picture stands up for more than a week the booking will last as long as the cashier continues to show favorable reports. This policy is only for the Fox and St. Louis, in St. Louis, but will be continued in all F. & M. houses shortly. Four pictures dated to follow "It Happened One Night" are expected to run more than nine weeks. The films are "David Harum," "George White's Scandals," "Wild Cargo" and "Stand Up and Cheer" in the order of bookings.

Attitude of F. & M.-ites is that the public will flock to good pictures and the bad ones will get no money at all. If the product is good, increases in admissions will not keep away patronage, is the way the situation is viewed.

Majestic Men Here For Company Talks

(Continued from page 1)

pected, a successor to Phil Goldstone, producer, will be set.

Attending the meet are Ben Judell of Chicago, Anthony Luchesse of Philadelphia, Jack Berkowitz of Buffalo, Bernard Mills of Albany, Jack Jossey of Cleveland and Jim Alexander of Pittsburgh.

"Unknown Blonde," formerly known as "The Divorce Bed" is the last picture Goldstone made. It's now ready for release.

RCA Men Silent on London Radio Story

(Continued from page 1)

control of the British Broadcasting Company's radio monopoly by RCA, David Sarnoff and S. L. (Roxy) Rothafel.

"We know nothing about the report," one RCA official said, "and do not care to make any statement, even in denial."

To Show Test Shorts

A public showing of experimental shorts will be given by the Film & Photo League at the New School for Social Research on March 31. All pictures on the program have been independently produced and have been displayed only before private film societies.

Goldwyn Gets Going On 1934-35 Lineup

HOLLYWOOD, March 19.—Returning from New York, Samuel Goldwyn has thrown himself into preparation for the new season's program, which will include two films with Anna Sten and one with Eddie Cantor. "Resurrection," the first, will be placed in production April 15 with Fredric March and Miss Sten co-starred. Then will come "Barbary Coast," in which Gary Cooper will have top billing. This will be followed by the Cantor film.

Look for Choice of Wage Group Friday

Naming of the committee to set up the basic wage scale for local theatres is expected this week when Division Administrator Sol A. Rosenblatt arrives from Washington to attend the Code Authority session. Rosenblatt gets in Friday and is expected to name the personnel following the meeting.

Vidor Clinches Deal With U. A. as Indie

(Continued from page 1)

United Artists. He is financing the entire production himself and will make it on the United Artists lot. Tom Keene, Karen Morley, John T. Qualen and Barbara Pepper comprise the cast so far.

Returned from Tour

E. W. Hammons, president of Educational; Jack Skirball, sales manager, and Harvey Day, special representative for "Terry-Toons," returned yesterday from a tour of the Boston, Buffalo, Cleveland and Cincinnati Fox exchanges.

Lehman Decides to Accepts K.C. Post

KANSAS CITY, March 19.—Lawrence Lehman, manager of the RKO Mainstreet, who was quoted as saying he would be unable to serve on the local grievance board because of illness, has decided to accept the appointment. Lehman is convalescing from a serious illness which confined him for two weeks in Menorah Hospital.

Objection has been expressed to placing Lehman on grievances on the ground that since most grievances are expected to emanate from subsequent run and small-town sources, he is handicapped by lack of familiarity with these operations. The suggestion has been made that he switch positions with Elmer C. Rhoden, Fox Midwest division manager, who is on clearance and zoning, but is considered qualified to serve on grievances.

Jay Means, president of the I. T. O., still protests he will not serve as a member of grievances unless he receives formal and official notification.

Flinn Talks on Radio

Executive Secretary John C. Flinn of Code Authority yesterday spoke over WINS for 15 minutes at the request of the NRA. Flinn went on at 3 P. M. and discussed his report recently submitted in Washington.

ITOA Directors to Meet

Directors of the I.T.O.A. meet today and the regular meeting set for tomorrow afternoon has been called off due to the installation banquet to be held at the Astor tomorrow night. Mayor LaGuardia is expected to attend.

...and



PALOOKA

by HAM FISHER with

JIMMY DURANTE
LUPE VELEZ
STUART ERWIN

PRODUCED BY EDWARD SMALL
Presented by Reliance Pictures

Released thru UNITED ARTISTS

'Palooka' Heavy $43,000 Only B'way Standout

(55-75-85) 'Palooka' Durante is that name in box office It is $43,000 the big

'Palooka' 7G's

Cincinnati, March 5

Lyric (RKO) (1,394; 35-44)—'Palooka' (UA). Supported by special campaign and wham Joe Palooka cartoon coloring contest in Times-Star, with news and office plugs for six days, getting $7,000, a Durante baymaker.

Palooka, $11,000, Strong in Boston

Keith's (RKO) (4,000; 25-35-50)—'Palooka' (UA). Premiered with a midnight show. $11,000 will be fine.

VARIETY

Peru Unit Charter Secured by Warners

DOVER, March 19.—Warners have filed a charter of incorporation here today for Warner Bros.-F. N. Films of Peru, Inc., capitalized at $10,000, to distribute films in Peru.

Incorporation of the new Warner South American subsidiary is in anticipation of the opening of a branch office in Lima, Warners foreign department said yesterday.

Council Meets Tomorrow

The M. P. Research Council holds its first national conference at the Hotel Roosevelt tomorrow. Among the speakers will be Mrs. August Belmont, president; Herbert S. Houston, former publisher of *World's Work*, and Dr. Frederick Peterson.

Mrs. James Roosevelt, mother of the President, recently appointed honorary vice-president of the Council, is urging American parents to support its campaign for better films.

Pick Arliss Title

HOLLYWOOD, March 19.—"The Last Gentleman" has been picked as the title of George Arliss' second for 20th Century. It is now in production with Sidney Lanfield directing.

Radio Borrows Boles

HOLLYWOOD, March 19.—Radio has borrowed John Boles from Fox to play the lead opposite Irene Dunne in "Age of Innocence."

"Wild Gold" Final Title

HOLLYWOOD, March 19.—The final title on Fox's California gold rush film, now in the cutting room, is "Wild Gold."

Tries Trick Fountain

Rochester, March 19.—It may be a small playhouse—the neighborhood Rexy—but it has ideas.

Manager Carol Fenyvessy has stirred up plenty of curiosity and some publicity on his two magic drinking fountains in the lobby constructed by the theatre's engineers. The fountains spout automatically at the approach of a prospective drinker.

The secret lies in the reflection of lobby lights from a tilted mirror focussed on a photoelectric cell.

No Seattle Time Change

SEATTLE, March 19.—Citizens of this city have decided that there will be no "daylight saving" here during the summer of 1934, or any other year. The proposal was submitted on general election ballot, and was beaten by almost 50,000 against, to $32,000 in favor. The campaign against the measure was conducted by the theatre and film interests, and included trailers in more than 40 theatres, billboards and radio addresses.

Lease Wilmington Hall

WILMINGTON, N. C., March 19.—Howard Theatres, Inc., of Wilmington have leased Thalian Hall from the city and plan to start films there April 1.

Members of the firm appearing before the board were James H. Howard and P. W. Wells, formerly operators of the Bijou here, and L. B. Hannah, all of Wilmington.

Junior Operators of Jersey Win in Court

TRENTON, March 19.—Junior members of Operators' Local 384 of Jersey City have won an injunction from the Court of Errors and Appeals preventing the 74 senior members of the union from infringing upon their rights.

They have been trying to get an accounting of union funds. They claim they have to pay 10 per cent of their salaries to the union and have been prevented from obtaining full membership by a $3,000 initiation fee. Their salaries are below the union scale.

Novarro Plans Tour

HOLLYWOOD, March 19.—Ramon Novarro will return to New York on March 26, from where he will sail for South America on April 2 on the first leg of an international concert tour. He has been granted a year's leave by M-G-M.

Roach Title Changed

HOLLYWOOD, March 19.—Hal Roach Studios have changed the title of their current comedy-musical from "Hollywood Girl Made Good" to "Duke for a Day." James Parrott is directing.

James on New Ticket

HOLLYWOOD, March 19.—Rian James has signed a three way ticket with Universal and will act as an associate producer, writer and director in the future.

Goes Double For Week

LOS ANGELES, March 19.—Loew's State will go double bill here for Holy Week, showing "Lazy River" and "Murder in Trinidad," doing this to capitalize on school vacations.

Urges Catholics to Boycott Bad Films

BUFFALO, March 19.—National use of the boycott against films considered to be objectionable apparently is the aim of the Catholic Action Society. More than 3,000 Catholic young people at a convention here unanimously adopted a resolution to stay away from morally objectionable films, to persuade others to do likewise and to send personal protests to producers who make them.

Rev. Daniel A. Lord, S.J., author and frequently an assistant in direction of films having religious themes, addressed the assembly, urging the boycott and citing an organized boycott against "The Sign of the Cross" in Chicago which he said caused Paramount a $125,000 loss. Mayor George J. Zimmermann, present at the convention, endorsed the boycott idea for Buffalo.

King and Lesser Split

HOLLYWOOD, March 19.—John King, formerly connected with the Bennett-King Productions and now owner of the dog Kazan, has cancelled his distribution contract for the Kazan series with Sol Lesser and Principal Pictures. While negotiating a new release, King will state right his product. Oliver Drake is writing the screen treatments and will also direct.

Schulberg Signs Wells

HOLLYWOOD, March 19.—Jacqueline Wells has signed a seven-year contract with B. P. Schulberg at Paramount coincident with her nomination as a 1934 Wampas Baby Star. The actress is currently appearing in "The Black Cat" at Universal.

...and



ALEXANDER KORDA'S PRODUCTION OF

CATHERINE THE GREAT

WITH

DOUGLAS FAIRBANKS, Jr.

AND

ELIZABETH BERGNER

Directed by PAUL CZINNER

'Cath' Fine $7,200

Pittsburgh, March 12.

Fulton (Snea-Hyde) (1,750; 15-25-40).—'Catherine the Great' (UA). Critical raves for this one haven't been topped for years and with continued generous newspaper ging and word

'Kate' Sees $7,000

Baltimore, March 12.

Keith's (Schanberger) (2,500; 25-30-35-40-50), 'Catherine the Great' (UA). Critical gentry rolled overboard on lauds and opening indications point to engagement being near smash proportions enjoyed by 'Henry Eighth.'

VARIETY

CATHERINE,' $4,200, BIG IN NEW HAVEN

College (Poli) (1,565; 25-40) — 'Catherine the Great' (UA). Opening days equalled 'Henry the Eighth,' which was tops at this house.

Released thru UNITED ARTISTS

Short Subjects

"Little Miss Mischief"
(*Vitaphone*)

A one-reel "Pepper Pot" novelty depicting a day in the life of a little girl, the various pranks she plays, the tangles she gets herself into, and the attention she requires from her parents. Fairly amusing. Running time, 7 mins.

"Shanghaied"
(*Walt Disney-U. A.*)

This is a Mickey Mouse "thriller" which will keep the youngsters on the edge of their seats and monopolize the attention of their elders. Mickey and Minnie Mouse are held captive aboard a pirate ship, the villainous captain of which has designs on Minnie. A rescue, of course, is effected by Mickey, who bests not only the savage captain but the entire crew of pirates as well. Running time, 7 mins.

"Broadway Brevities"
(*Universal*)

Another Mentone Production directed to Milton Schwarzwald with a series of vaudeville acts—The Three Girl Friends, Jim Wong Troupe, Slim Timblin, Warren Boyd, Murray Wood, Mosconi Brothers and Dorothy Van Alst, and Adelaide Hall. Ought to prove worthwhile in places where they can't have their vaudeville on the stage, if they want it. Running time, 20½ minutes.

"Roast Beef and Movies"
(*M-G-M*)

The title doesn't mean a thing. A lot of stuff is jumbled into the story, but the Technicolor photoplay is great and some of the dance numbers by the Albertina Rasch girls are high class. The story is tied together by George Givot, Jerry Howard and Bobby Callahan who invade a movie studio to sell a film they have made. After showing several assorted shorts in a projection room they discover the "producers" are nuts from an asylum. Running time, 17 mins.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Melody in Spring"
(*Paramount*)

HOLLYWOOD, March 19.—Lanny Ross, Olympic athlete and radio favorite, makes his screen debut in this. Pleasant of appearance, he renders new vocal numbers that should appeal to his many radio fans.

The film is broad comedy, centered around the antics of a souvenir hunter, Charles Ruggles; his wife, Mary Boland, and daughter, Ann Southern, with Lanny Ross adding the romantic interest.

Ross is a small town singer who falls, at first sight, for Ann, visiting his home town. Ross seeks a spot on Ruggles' radio program. In addition to being a nut on collecting souvenirs, Ruggles manufactures dog biscuits, detests crooners and disapproves of Lanny. To get rid of Ross, the family ostensibly leaves for Paris, but winds up in a colorful Swiss village. Wherever they go, Ross is there. His persistence furnishes many laugh-provoking situations with the girl and boy voluntarily in jail for a happy ending effect.

The picture is typical family fare, set in a picturesque mountain village background. Never serious, it balances dialogue action and situations nicely with the Ruggles-Boland team predominating in garnering laughs.

George Meeker, Herman Bing, Norman Mitchell, the three Gale sisters and Helen Lund contrive to round out a clean bill of fun designed to entertain those who do not demand logic in plot. Norman McLeod directed.

"Ha-Ha-Ha"
(*Paramount*)

Betty Boop as a dentist treating Ko-Ko, the Clown, for a toothache is the plot of this latest of the Betty Boop series. Escaping laughing gas affects Betty and Ko-Ko and spreads to the population of the city. This one should fit well on any program. Running time, 7 mins.

Short Subjects

"War Debts"
(*Beverly Hills Exchange*)

This three-reeler is a series of scenes showing the ravages of the Great War that fathered our present war debts. Photographed by Captain Kleinschmidt during the Austro-Russian fighting on the eastern front prior to our entry into the struggle, it offers a gripping picture of the horrors of warfare and its aftermath. Many of the scenes were evidently obtained at extreme risk of life and some of them may prove a bit too graphic for the over-sensitive. Decidedly an asset is a narrative spoken by Wilfred Lucas. Elmer Clifton is presenting this. Running time, 30 mins.

"Pugs and Kisses"
(*Vitaphone*)

Charles Judels as a fight trainer and Lionel Stander as a dumb fighter furnish a pretty good series of comedy gags. When the fighter loses Judels plays a couple of tricks on him to keep him away from women. Shemp Howard, Greta Granstedt and Tony Hughes are in the cast. Two song numbers, "Babies Go to Town" and "Pie Number" are introduced. It could be funnier. Running time, 21 mins.

"County Fair"
(*Universal*)

Oswald meets a lad who gives him a tearful story of being put out of the house. Taking pity on the youngster he takes him to the fair with him. There the kid makes a nuisance of himself, so that Oswald decides to take him back to his folks. Pleasant, if nothing more. Running time, 6 mins.

...and, of course!



"THE BIGGEST MONEY MAKER IN TWO YEARS"
Hollywood Reporter

George ARLISS
in
THE HOUSE OF ROTHSCHILD

A DARRYL F. ZANUCK production
Presented by Joseph M. Schenck
20th CENTURY PICTURE

BORIS KARLOFF • LORETTA YOUNG • ROBERT YOUNG
HELEN WESTLEY... and a Distinguished Cast of One Hundred.

Released thru UNITED ARTISTS

Pillories Circuit Operation By Remote Control from N. Y.

(Continued from page 1)

we began to question the soundness of our circuit operations as it was becoming apparent to us that "the tail was wagging the dog" and that it was only a question of time when this method of operating theatres must definitely be changed. Many theories were advanced for changing this situation, and some acted upon, but without any results. Constructive correction, however, was in progress when we entered into the last and worst phase of the depression and what has subsequently happened is well-known.

With all this experience in operating a big circuit from New York, and with a full realization as to its unsoundness, I went into the field to personally operate, independently, a few theatres. I have spent nearly eight months now at this, including visiting theatres, meeting exhibitors, seeing circuit theatres operated in the field and I have discovered some very startling facts—things I never even believed to be true when I was in New York. Many I shall not mention, but summed up the answer is *unsoundness.*

N. Y. Decisions Held Important

Of major importance are the decisions made in New York regarding theatre operation. Conservatively, I can say New York is wrong 70 percent of the time. In New York you will hear, as I have heard time and time again, "our men in the field are operating the theatres" but I know now that is not so. The home offices of circuits still labor under the delusion that they are allowing the boys in the field to make their own decisions as it fits their particular community. Yes, this is true in every instance *except* where the decision is important, and then New York decides. Only those decisions which are unimportant and keep a lot of detail from coming into the home office, are made by the boys in the field. The funny thing about this is that I have never heard anyone admit a mistake was made. Only a circuit-owned theatre can withstand or has up to this point apparently withstood the tremendous losses due to mistakes that have been made and are being made. By this I do not mean the original mistake of impossible rentals or fixed charges, but the errors in judgment of operating policy.

Sees Common Interest Lacking

Another thing that strikes me very forcibly is that the circuit-operated theatre or theatres in a town are entirely out of step with any other theatre in the same town. There is no community of interests with other theatres, there is no spirit of helpfulness; it is more or less an aloofness of a would-be superior being who runs his business alone. He knows nothing about his competitor's business and merely guesses at his grosses. The home office is more or less responsible for this condition. Even if the manager had a desire for constructive cooperation, he is in no position to carry it out. This is harmful not alone to the theatre business in that town but it definitely hinders getting the greatest results at the box-office. What a vast difference a little friendly cooperation would make in our industry if there existed the same spirit of helpfulness and cooperation as exists in other industries in the same town!

Who are the greatest offenders in admission price-cutting? Sitting in New York, I, together with all other circuit operators, were of the firm opinion that the independent exhibitor was guilty of the most flagrant cuts in admission prices and we all heaped plenty of abuse upon him for everything in connection therewith. But when you get close to the facts in the field it is amazing to find how far from the truth this is. *First-run circuit operator* is undoubtedly the most ruthless as it pertains to the cutting and changing of admission prices. This is one of the decisions that New York rarely permits the boys to make, all statements to the contrary notwithstanding. Without regard for any other theatre in town, without any consideration for existing conditions, without any thought in any direction, prices are changed over night. I know of instances where the boys in the field have fought as hard as they dared with the home office to avoid a price change, but to no avail, and then a few weeks later the prices were changed back to meet the recommendations of the boys in the field. New York never will understand that it knows nothing about local conditions and is in no position to quickly make decisions of this kind. This is indeed a most deplorable situation. No longer do I wonder at the extremes to which the small, independent theatre operator resorts as it pertains to admission prices when he sees the big circuit house ruthlessly cutting prices as a child would do with a toy just to see what makes it run.

Finds Attitude Wrong

Another thing is the handling of pictures in circuit houses. Anything short of a "knockout" is not deserving of much effort. This comes about through having the choice of so many good pictures that after a time the manager cannot possibly see anything worthwhile except the smash attraction. In this connection the independent operator is unquestionably the better showman. Distributors in New York from whom I have purchased pictures for years have repeatedly told me this, but I always disagreed with them. However, getting close to the situation has proven it to me most conclusively. The independent operator looks at motion pictures with altogether different eyes. To him each picture has something good about it to sell. When he gets a good picture he generally does a better business than the circuit theatre would do with it because to him it is a great picture; he believes it and is able to sell the idea to his patrons.

It is a well-known fact that circuit theatres' own pictures receive special care and attention over and above other distributor's product that they use, but I did not know to what extent this was true until I came close to it in the field. It is a pity that *all* of the product used by circuit operators is not given equal attention.

The manner of advertising pictures by circuit houses is poor. New York originates a lot of copy and broadcasts it through its theatres. It is supposed to apply to all of the towns regardless of what the likes and dislikes of that community might be in relation to the picture itself or its stars and very seldom do the boys in the field change any of the New York ads, especially on big pictures. Of course, this is true also of mats and press-books which are sent everywhere to be used by every exhibitor. That is why you see the same stereotyped advertising from one end of the country to the other on any given picture. It happens quite often that a picture is ruined nationally by the wrong kind of advertising which every exhibitor makes use of. I honestly believe we would have much finer advertising as well as better business if no mats of any kind were furnished exhibitors and they were forced to be original and said the things they would like to say about the picture and omitted a number of things that for the good of the business should be omitted.

Calls for Changes

There are a number of other observations regarding circuit operation that I do not wish to go into, but its present method of functioning can never be successful. The entire structure will have to be changed so as to be entirely divorced from New York before any progress can be made in this connection. Each group of theatres in a given territory will have to be organized as a separate and distinct company with a real business man at the head of it as president and general manager, together with a regular set of officers, to be a separate and distinct corporation with such officers owning a substantial interest in the business. This local corporation must have the sole right to manage its business, including the purchasing of pictures other than the company's own pictures for which they will no doubt have a long-term franchise. New York will then only furnish such service as the local corporation will from time to time request. It must be a locally owned and operated business where every bit of enthusiasm is put into the job and every local problem worked out to the best interests of everyone concerned. Only in this manner will it be possible to get the most out of each and every attraction.

The procedure as outlined above is, in my opinion, not only essential to the industry as a whole, but the only manner in which the present circuits can put their business on a sound basis that will in time give them a regular return on their investment.

N. O. Boards Inactive

New Orleans, March 19.—Code boards are doing nothing here until they receive official notice of appointment. So far all the members know about it is the news they have read in trade papers.

"Scandals" Phila. Grind

PHILADELPHIA, March 19.—George White's "Scandals," which is to reopen the Locust Street Theatre on March 20, will play on a grind policy, it was stated today by A. R. Boyd, local Fox manager, who is also handling the Locust.

Mrs. Rosenblatt on Coast

HOLLYWOOD, March 19.—Division Administrator Sol A. Rosenblatt's mother is visiting her daughter, Ann Ronnell, here. Miss Ronnell is under contract to the Radio studio music department.

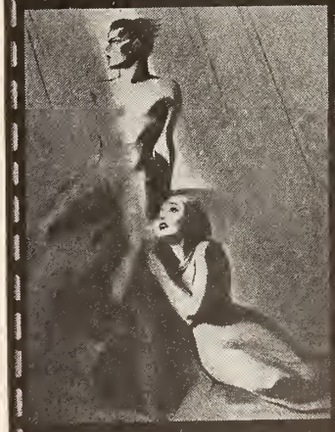
Spot News from Columbia



So great has been the public demand, many theatres are playing return engagements of CLARK GABLE and CLAUDETTE COLBERT in Frank Capra's "It Happened One Night," already hailed as one of 1934's ten best!



Promising to be one of the year's outstanding dramatic smashes, ELISSA LANDI in "Sisters Under The Skin," with Frank Morgan and Joseph Schildkraut, is nearing completion. Great cast, great story and great entertainment. Directed by David Burton.



Already a barrage of praise is sweeping the continent—heralding the greatness of Frank Borzage's "NO GREATER GLORY," the screen's greatest emotional triumph. Based on Ferenc Molnar's world-famous novel.

Patman Bills Believed Dead For Present

(*Continued from page 1*)

nery of Massachusetts when he opposed the measure.

Arguments presented in the 90 minutes allotted proponents of the measure were demolished in a brief 10 minutes allotted Charles C. Pettijohn of the Hays office. Pettijohn's reference to Abram F. Myers brought the Allied counsel to the fore, and he was subjected to an attack by Congressman Chapman of Kentucky, who questioned him on his connection with Allied while still a member of the Federal Trade Commission. He was also asked about his activities in connection with the industry code.

Although neither side had had much opportunity to present its entire argument, the hearing was concluded without any intimation as to when, if ever, it would be resumed.

Patman Starts Argument

Explaining the purposes of his measure, Congressman Patman told the committee that he did "not want to do anything to hurt or retard the industry" and variations on that theme were the motif of those who followed him. "But," added the congressman, "the people generally have a right to make suggestions as to what should be done in order that the business should be improved."

Dr. William Sheafe Chase, secretary of the Federal M. P. Council in America; Mrs. Robins Gilman of Minneapolis, president of the organization; Rabbi Israel of Baltimore, and Mrs. Ida Wise Smith, president of the W. C. T. U., claimed pictures were "immoral" and presented statistics that purported to show the percentage of "crime" pictures and "10 broken promises" of the Hays organization.

All the so-called "evils" of the situation were blamed on block booking by Canon Chase. "We claim," he said, "that every exhibitor ought to have the right to pick out just what pictures he wants to show." Mrs. Gilman insisted that congressmen should be "socially sensitive" to the need for protecting children against films they should not see.

Women Hiss Connery

Declaring he was "absolutely opposed" to the Patman bill, Congressman Connery, in the face of hisses from the women in the audience, told the committee: "We are going back to the 18th Amendment situation again, telling people what they can see and what they cannot see.

"If the people do not go to the theatre," he pointed out, "it is to the exhibitor's interest to see that he puts into his theatre what the people want. I think they have gone too far already with censorship; I do not believe the Federal Government should step in with censorship either of pictures or the stage."

Telling the committee that no one would deny there are pictures that should not be shown, Pettijohn pointed out that he and Jack Connolly, general manager of Pathe News, years ago secured an amendment to the criminal statutes to prohibit the showing of lewd pictures and asserted that if the law were enforced against a few people there would be no further trouble in that respect.

Censorship is of no avail, he said. He pointed out that Chicago has the severest type of censorship, but that "the result speaks for itself."

Less than 20 per cent of contracts call for the entire output of any producer, as claimed by the reform element, he explained, adding that what those groups call good pictures are deemed bad by the exhibitor because they do not draw.

On the other hand, there was not a single cancellation of Mae West's pictures, but they made a record for repeats. Due largely to the demand of women, he said, "Little Women" and "Alice in Wonderland" were successful.

"If they would devote as much endeavor to putting over good pictures as they do to preventing bad ones, we would get somewhere," he said.

Pettijohn said Myers promoted the Tiffany franchise which, he said, was along the very lines attacked by him now and also by the proponents of the bill. Exhibitors were required, he said, to sign up for the entire output for five years, without knowing either the pictures to be produced or the price to be paid. This brought the Allied general counsel into the limelight.

Going to the stand to answer Pettijohn, Myers was asked by Congressman Chapman whether he did not aid in the creation of Allied while a member of the Federal Trade Commission, with the understanding that he would be its head, if not reappointed to the commission. Myers answered that such was not the case, and said that he had resigned in the face of a prospective reappointment for a seven-year term.

Chapman then asked him whether he had "written a letter to a large group of picture operators advising them against compliance with the NRA code," to which Myers declared he had not. He asked for a hearing to answer the charge.

"If you are a fair duck, you ask the chairman to give me a hearing," he shouted.

All witnesses who could not be heard because of lack of time were given permission to file briefs, and those who had talked were permitted to "revise and extend" their remarks.

Most of the briefs will be filed at a later date, but the views of five newsreel producers were presented by Connolly. He declared that the bonding of newsreels, as proposed, "goes far beyond the provisions of the Constitution."

The hero is killing the villain—
that's good!



He will marry the girl—
as certain he should.



Gee, what a picture—it would be a treat

If I could get set in this
slithering seat!



But say, *such a theatre!*—how often
I'd come

To see pictures here—but I really get numb.

I miss all the thrills, for this house needs repairs

They'd double business with *comfortable* chairs!



Ask Us,
"How can I reseat and pay
for new chairs conveniently?"



American Seating Company

Makers of Dependable Seating for Theatres and Auditoriums
General Offices: Grand Rapids, Michigan
BRANCHES IN ALL PRINCIPAL CITIES

NRA MEMBER U.S. WE DO OUR PART

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 35. NO. 66 NEW YORK, WEDNESDAY, MARCH 21, 1934 TEN CENTS

Precedent Set On Para. Rent Disallowances

First Dropped by Court Is for $619,805

Establishing a precedent for the disposition of millions of dollars in future rent claims involved in the Paramount Publix and Publix Enterprises bankruptcies, Federal Judge John Knox yesterday affirmed an order by Referee Henry K. Davis disallowing claim of $619,805 filed against Publix Enterprises by Emme Floto Escheider, landlord, for future rent on a repudiated lease on the Paramount, Steubenville, O.

Yesterday's decision by the U. S.

(Continued on page 5)

Move to Levy New Taxes Fails in L. A.

Los Angeles, March 20.—Attempts to levy new license fees and special gross prevention taxes on all branches of the industry for the purpose of wiping out the city's $1,500,000 estimated deficit were defeated today at

(Continued on page 18)

New Fox Met. Plan Is to Be Set Soon

Reorganization plans for Fox Metropolitan Playhouses are expected to be submitted to the court within a week or 10 days by a committee of which Ernest Niver is chairman. Following submission of the plans, the court will set a date for the public sale of the properties.

Naming of 2 Boards Is Expected Today

Personnel of clearance and zoning and grievance boards in New York and Philadelphia is expected to be set

(Continued on page 5)

Salary Problem

Jack L. Warner, in from the coast, in a humorous way complains that the salary situation at the studio has him nettled.

"Those getting $2,000 a week want $4,000," he says. "Those getting $4,000 want $6,000. And we? We don't want to give them anything."

New Setup for Fox Units In Midwest Is Seen Near

Kansas City, March 20.—With difficulties still in the way of emergence from bankruptcy by Fox Midland and Fox Rocky Mountain Theatre Companies, local attorneys say a definite plan is not far off.

Regrouping of Rocky Mountain holdings that are solvent into wholly owned subsidiary companies, where new deals have been made with landlords, has advanced that unit to a degree of reorganization that is said to be 90 per cent complete. New subsidiary corporations have been formed for some 40 houses. In addition, 10 houses have been turned back to the owners by Rocky Mountain and Midland, in instances where rent revisions could not be effected or where operations had proved unprofitable.

While Rocky Mountain is progres-

(Continued on page 10)

Appeals Court Hears Attack On RKO Deal

An attack on an agreement between holders of first and second RKO liens aggregating approximately $13,000,000, which prevented a foreclosure and sale of RKO assets early last year by extending the maturities on the secured gold notes of the company, was carried into the U. S. Circuit Court of Appeals here yesterday by Walter Reade's Broadway and 47th St. Corp., an unsecured RKO creditor.

Reade's action was an appeal from an order signed by U. S. District Court Judge Woolsey last September which directed Irving Trust Co., RKO receiver, to cause subsidiaries of RKO to replace temporary notes securing the lien with permanent notes and to pledge completed film negatives as chattel mortgages to secure the new

(Continued on page 5)

Missouri Stay One of First For New Law

St. Joseph, Mo., March 20.—While granting a temporary injunction to Dubinsky Bros. Theatres stopping the operators' and stage hands' unions from committing violence, Judge Merrill E. Otis in the Federal Court here declared that under the Norris act he could not restrain the unions from picketing. This was the first injunction action under the new law in this part of the country.

Part of a 3,000-word decision in the case stated: "I think the court is bound to restrict the injunction, as is required by Section 104 of the Norris act. The court has no power now, whatever power it once had, and I do not know that such power should be exercised in any event, but it has no power now to restrict what is spoken

(Continued on page 11)

Labor Board Seeks Action on An Order

Action to obtain compliance with the NRA Regional Labor Board's findings will be taken against Manhattan Playhouses in the event two employes alleged to have been dis-

(Continued on page 5)

Two Kansas Sunday Votes Up March 26

Topeka, March 20.—The fate of Sunday shows, always a blazing issue in Kansas, will be decided in Emporia and Manhattan on March 26, when referendums will be held in conjunc-

(Continued on page 10)

Will Recommend End of Federal Admission Tax

Washington, March 20.—Repeal of the admission tax will be recommended in the tax bill to be reported in the Senate, possibly tomorrow, by the Finance Committee, it was announced today by Chairman Pat Harrison of Mississippi.

Nearing the end of its consideration of the measure, the committee to-

(Continued on page 18)

Patman Bill Is Brookhart Plan Revived

Myers Urging Allied to Get Behind It

Washington, March 20.—That Allied is behind Congressman Patman's so-called block booking bill for the purpose of putting the industry under the control of the Federal Trade Commission is apparent from the latest Allied bulletin.

"The bill is substantially the same as that drafted by a joint committee of Allied and the M. P. T. O. A. in Chicago in 1932, and which was later introduced into the Senate by Senator Brookhart," the bulletin states.

"It prohibits compulsory block

(Continued on page 5)

Hays Places Ban on Dillinger Picture

No film based on the life or exploits of John Dillinger, Indiana bandit, will be produced, distributed or exhibited by any member company of the M. P. P. D. A., Will H. Hays stated yesterday following action taken by the board of directors of the association.

The board's decision, Hays stated,

(Continued on page 10)

Business Picks Up In Idaho and Utah

Salt Lake City, March 20.—Business is on the upgrade in both Utah and Idaho.

Retail trade here, an index for the

(Continued on page 5)

Majestic Planning 12 for Next Season

No less than 12 features will comprise Majestic's output for 1934-35 and plans for the new production are

(Continued on page 5)

"Nodding" Job

Hollywood, March 20. — A visitor on a set at M-G-M was introduced to the assistant director.

"And just what are the duties of an assistant?" inquired the stranger.

"Oh," drawled the assistant, "'nodding' in particular."

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(Registered U. S. Patent Office)

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Tracy in Para. Deal

HOLLYWOOD, March 20.—Having made a tentative agreement with Universal for three pictures a year, Lee Tracy is now considering a four-picture deal with Paramount to cover a period of two years. The papers have not been signed, but this is expected shortly.

"U" Signs Henry Hull

HOLLYWOOD, March 20.—After a series of long distance telephone calls Carl Laemmle, Jr., has signed Henry Hull to a five-year contract calling for two or three pictures a year. Hull is now starring in "Tobacco Road" on the New York stage.

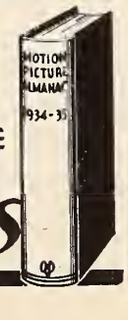
MOTION PICTURE ALMANAC

1934-35

NOW IN PREPARATION

WHERE THE WORLD LOOKS FOR MOTION PICTURE facts

PRICE $5.00



Insiders' Outlook

EMPHATIC and aimed straight for the vitals of any plan to make commercial the exploits of John Dillinger, sometimes described as Public Enemy No. 1, is the decision of the Hays board of directors yesterday. Their action will keep any such idea out of production, distribution and exhibition as conducted by the member companies of the M. P. P. D. A. which, of course, means the spine and nerve system of the entire industry. Fast on the heels of what went into Government records as the Patman bill hearing in Washington on Monday, the step should, and no doubt will, prove to the many snipers on the outside that all is not irresponsible on the inside. To Will H. Hays and his directors, a salute. . . .

▼

The task of setting up grievance and clearance and zoning boards isn't over yet. Probably, it never will be. Many who read lightly forget that Code Authority may move members around and out for a variety of reasons. In connection with impartial men so far named, past identification with the industry may prove sufficient reason to remove them. In Washington, the general impression afloat sets up the NRA as opposed to any individual who has been tied in with film companies in former years. The thumbnail biogs which have been appearing in MOTION PICTURE DAILY for some weeks now reveal several appointees have handled legal or arbitration work for the industry from time to time. Ultimately, this may be viewed as sufficient to precipitate replacements. . . .

▼

What a time those boards are in for once they get going! Once it was the Film Board setup that supplied the industry with a clearing house for many disputes. That was several years ago now. Since then, some of the most flagrant complaints, alleged or otherwise, have been clearing through courts of law. That's been expensive and, what with dockets loaded to the gunwales, hardly rapid enough to accommodate issues that are vital because they were current. The story, brought into light very much from the below decks atmosphere in which it has been fulminating has it that interests, ambidextrous in that they sell and also show film, have been preparing complaints against independents by the carload. The idea is to be the first in line when the boards begin to sit. All very interesting because independents, who always see red when controlled first and subsequent runs are merely whispered, are reported proceeding along the identical front. . . .

▼

Much interest in Dave Chatkin's load of explosives on remote circuit operation from New York. It was the talk of the town in many quarters yesterday. More of that a trifle later, however. . . . "The House of Rothschild" and its merry pace at the Astor remind of '29, if you can still remember. The picture is doing a standout, smash business. . . . Persistent are those reports that Columbia proposes a foray into the play producing field. Officially, all you can get is a denial. Maybe perfunctory, maybe not. . . .

▼

Up from Wall Street: The bankers have been talking to Sam Katz about a return engagement at Paramount. . . . Distributors are turning sour on costume pictures. . . . Vesting in the Balabans control of the Newman in Kansas City does not necessarily indicate the Chicagoans are spreading their wings far afield. Paramount merely figured Kayce control from New York was too long a cry. Chicago, being 18 hours nearer, the control-to-Balaban idea seemed feasible, and is. . . .

▼

Joe Schenck says that certain report is plain silly. . . . Tomorrow may be a very interesting day, news-wise. Then again, it may not. . . . How would a deal in one city be apt to change the balance of power pretty much throughout the country? You may be asking. We're not telling. . . . Drawing papers are a necessary something in all big business doings. The step is no guarantee the documents will ever be signed. What is this bird talking about anyway? . . .

KANN

Stocks on Big Board Advance

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	27¼	26½	27¼	+ ¼	500
Consolidated Film Industries	4⅜	4¼	4⅜	.....	1,200
Consolidated Film Industries, pfd	15½	15⅜	15½	.....	500
Eastman Kodak	89½	88	89	+ ¾	2,100
Eastman Kodak, pfd	133	133	133	+1	1,000
Fox Film "A"	15¼	15	15	+ ⅜	300
Loew's, Inc.	32½	30½	31½	+ ⅝	9,500
Paramount, cts	5	4¾	4⅞	.....	5,700
Pathe Exchange	3½	3¼	3½	+ ¼	2,500
Pathe Exchange "A"	19¼	18¼	19	+ ¼	1,500
RKO	3½	3¼	3½	+ ¼	1,600
Warner Bros.	6⅝	6¼	6⅝	+ ⅛	4,800

Technicolor Rises ⅛ Point

	High	Low	Close	Net Change	Sales
Sentry Safety Control	½	⅜	⅜	.....	400
Technicolor	8¾	8¾	8¾	+ ⅛	100

Paramount Publix Bonds Up 1

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	9½	9	9½	+ ¼	25
General Theatre Equipment 6s '40, ctf	8¾	8½	8½	— ¾	3
Loew's 6s '41, ww deb rights	98	97	97	—1	2
Paramount Broadway 5½s '51	34	34	34	+1	2
Paramount Publix 5½s '50	49½	49⅜	49⅜	+ ⅜	3
Warner Bros. 6s '39, wd	55¼	55	55	.....	6

Purely Personal

JEAN HERSHOLT is here fr Hollywood for a new collection film shots for his personal libra While in New York for two we during which he'll take in a few pla Hersholt expects to film New Y from the top of Radio City and ot spots. He quits the east next w for Hollywood.

JANE WYATT is on her way b to New York with a Universal c tract after completing a series of te She will return to the coast to st work April 20.

CHRISTINE AMES' "The Hu Side," OCTAVUS ROY COHEN'S "Tra sient Lady" and SAGA LANDI "Long Live the Queen" have b sold to Universal.

LOU DIAMOND, Paramount sh subject chieftain, who was due b in town from the coast this week, prolonging his stay in Hollywood a other week or 10 days.

CONSTANCE CUMMINGS and h husband, BENN W. LEVY, are in to and will sail for England later t week on the *Berengaria*.

MR. AND MRS. CON CONRAD ha returned from a Florida honeym and are at the Warwick.

MICHAEL FEIST, a film director a son of Felix F., is in town for a br stay.

LARRY WEINER, head of the adv tising company bearing his name, mourning the loss of his brother

N. L. NATHANSON, Paramount t atre operating partner in Canada, in town on a brief visit.

JAMES CAGNEY will end a sh New York vacation the latter p of this week.

MR. AND MRS. JESSE CRAWF have been signed for a Vitaph short.

ALINE MACMAHON is due in N York tomorrow for a short vacati

And your profits will MULTIPLY too!



$1000 for

your patrons in the SHEARER

"RIPTIDE" SLOGAN CONTEST



LEO'S A SHOWMAN! FOLLOW IN HIS STEPS!

GET THIS BOOK FROM YOUR M-G-M EXCHANGE!

Free 1-Sheets! Free Mats!

A marvelous contest idea that will get you six days of newspaper publicity. The Contest Campaign Book explains everything. This contest is easy to conduct and it's a clean-up! Just ONE of the MANY M-G-M SHOWMANSHIP STUNTS FOR NORMA SHEARER'S GREATEST!

DETAILS OF CONTEST:

PRIZES: 1st—$500; 2nd—$250; 3rd—$150; 4th—$100. Contest for best "Riptide" slogans closes July 4th. All entries for National Prizes must be at M-G-M Studios by July 11th. In case of ties, each tying contestant will receive the full amount of the prize tied for.

Appeals Court Hears Attack On RKO Deal

(Continued from page 1)

tes. Reade, through his attorney, erbert S. Colton, contended yester- y that the pledging of the negatives performance of the agreement be- een the noteholders, under which ey were to refrain from foreclosing, s damaging to the interests of KO creditors. This was denied by rl E. Newton of Donovan & aichle, attorneys for the RKO re- iver, and by William D. Whitney, A attorney. RCA, as holder of 85 r cent of the RKO debentures, is a incipal party to the noteholders' reement.

Decision was reserved by the Cir- it Court yesterday and an opinion expected within the next month.

Under the agreement RCA paid ,500,000 to RKO, which subse- ently applied the payment to matur- g gold notes held by the Chemical nk and Commercial Investment rust. In consideration for this pay- nt, Chemical and CIT agreed to tending the maturities of the re- inder of the issue, aggregating ,825,000, so that the first of the maining notes does not mature until xt July 1. Maturities thereafter are 0,000 each on the first of each suc- eding six months.

Terms of Agreement

RKO gave RCA its note, secured a completed negative, in return for \$2,500,000 advance under the agree- nt. As the pledged negative de- eciates in value a new note, secured a newly completed negative, is de- ered to RCA by RKO. It was s phase of the agreement, affirmed the District Court's order, that was acked by Reade in his appeal to higher court as damaging to the erests of general creditors of RKO.

"What is the matter with Judge olsey's order?" Presiding Justice an asked when the complicated eholders' agreement had been nstakingly explained to the court Newton. "What does the appellant eade) want?"

"I think," Newton replied, "that he sn't understand that without Judge olsey's order there would be no eivership and no going business in KO. The appellant thinks that put- g a chattel mortgage on a new film taking something out of the re- wership estate. The fact is, it puts nething into the estate, because KO doesn't own the films, anyway. ey are owned by subsidiaries. der this procedure RKO gets an ity in a secured note in place of in an unsecured note."

The court was told that five nega- es have been mortgaged under the reement thus far, and that nothing been repaid to RCA on the \$2,500,- obligation largely because of the ding appeal of Reade's.

Sees Precedent Set

Whitney told the court that this and ilar recent arrangements estab- ed a precedent for film receiver- p cases in that they provided the t instance in which "anything of ue has been preserved in a film mpany's receivership."

"The motion picture business is different from all others," Whitney said, "in that its only asset is its film productions and these have a very brief life. It's true," he added hastily, "they have some flimsy structures in Hollywood in which they make pictures, but nothing much can be realized on these in a forced sale. Up to now, in film company failures, such properties have been shown to be almost valueless and the failures were complete."

"Don't they own valuable machinery, such as sound recording devices?" the court wanted to know.

"Sound equipment is mostly leased," Whitney replied as Federal Judges Swan, A. N. Hand and L. Hand smiled broadly. "Other equipment is valuable only to the user. When it is about to be sold it is almost without value."

Another bit of testimony that amused the court was the statement by Newton that RCA's holdings in RKO "at one time had a book value of \$70,000,000, but their cash value was only a fraction of that."

"Yes," Judge Swan interrupted with a smile, "you don't have to assure us of that. We've had some similar cases."

The respondents' attorneys emphasized that all of RKO's assets were pledged to secure the notes involved and that these assets were principally its investments in subsidiaries. Without the agreement not to foreclose on these assets, the attorneys declared, RKO could be put out of existence as a going concern.

All for His Art

Natika Balieff, producer of "Chauve Souris," states he never works for money but for the propaganda of the art. He told this to members of the Cheese Club yesterday.

Majestic Planning 12 for Next Season

(Continued from page 1)

now being discussed by the company's franchise holders. The meetings, which started on Monday, will last for two more days when the new program is expected to be set. It is also probable that a producer to succeed Phil Goldstone will be announced this week.

Resumption of work on the balance of this season's product is expected in about two weeks.

Charter Film Carriers

DOVER, Del., March 20.—National Film Carriers, Inc., has been chartered here. No capital stock is listed. The incorporators are T. Lea Perot, William C. Wright and Daniel A. Ward of Philadelphia.

Hayes to Hurry Back

HOLLYWOOD, March 20.—Helen Hayes will return here June 1, instead of in September, as first agreed, to be starred in "What Every Woman Knows" for M-G-M.

Remake Griffith Film

HOLLYWOOD, March 20.—Warners will remake "Saturday's Children," in which Corinne Griffith starred in 1929.

Patman Bill Is Brookhart Plan Revived

(Continued from page 1)

booking; requires the furnishing of full synopses of all pictures at the time the pictures are offered for sale; enlarges the anti-discrimination provisions of the Clayton Act to include 'leases' as well as 'sales' of commodities; provides for the settlement of disputes between exhibitors and distributors by the Federal Trade Commission."

Its passage, some hold, would scrap the whole NRA setup for the industry under the Code Authority.

Abram F. Myers says in the bulletin there was little hope for the Patman Federal censorship measure backed by Canon William Sheafe Chase, and this was the reason for the introduction of the regulation bill and the granting of permission by the House Interstate and Foreign Commerce Committee to discuss both bills at the hearing originally intended for the censorship measure.

Myers has filed a brief on the bills and is urging Allied to get behind the regulation bill, H. R. 8686. Copies are to be mailed out later, the bulletin states.

Myers holds the bill is in "a strategic position and should be passed. The best indication that this bill has a chance is that C. C. Pettijohn of the Hays office, having been given 10 minutes to reply to the advocates of H. R. No. 6079, devoted practically his entire time to anticipating the arguments that he thought I might make in favor of 8686.

"I should have preferred to wait until next session to press the measure, but Charlie Pettijohn has turned the dogs loose, and unless the exhibitors and organizations opposed to block booking get busy, the Hays propaganda will greatly handicap future efforts in the direction of abolishing block booking."

Business Picks Up In Idaho and Utah

(Continued from page 1)

surrounding territory, gained 30.5 per cent during February over February, 1932, according to a report of the San Francisco Federal Reserve Bank which includes this area. Salt Lake was second only to Spokane among western cities in percentage of gain.

O. J. Hazen, local manager for National Theatre Supply Co., has just returned from a trip through Idaho and he reports a number of spots where improvements are being made.

Pocatello Session Set

SALT LAKE CITY, March 20.—A meeting of the M. P. Owners' and Operators' Ass'n. is to be held at Pocatello, Idaho, March 27 for a general conference between Utah and Idaho exhibitors.

"U" Moves About May 1

Universal is expected to move to Radio City around May 1. The company will occupy three floors in the RCA building.

Precedent Set On Para. Rent Disallowances

(Continued from page 1)

District Court here was the first of its kind in the Paramount bankruptcy administration. An order disallowing the claim was entered by Referee Davis shortly after the U. S. Supreme Court handed down its ruling early last month in the United Cigar Stores case, holding that future rent claims were not provable against bankrupts. The referee's opinion disallowing the Steubenville claim cited the Supreme Court decision. The landlord appealed the ruling to the U. S. District Court. In upholding Referee Davis's finding, Judge Knox affirmed the order without submitting any opinion.

The District Court's ruling is regarded as a precedent for the final disposition of future rent claims against Paramount Publix and Publix Enterprises aggregating more than \$100,000,000.

Labor Board Seeks Action on An Order

(Continued from page 1)

missed in January for union activities are not reinstated today, Ben Golden, Regional Labor Board official, said yesterday.

Max Levine, an usher at the Jewel, and Leon Horn usher at the Palestine, were the employes said to have been discharged for joining Local 118, Theatre and Amusement Employes' Union. Their reinstatement was recommended by Golden following a hearing Jan. 23. Golden said he was advised recently that the reinstatements had not been made yet and after further conferences with Manhattan Playhouses within the last few days he has ordered reinstatement of the men by today, failing which, he will ask the NRA Compliance Board to take action against the circuit, he said.

Golden reported that he is also investigating a complaint filed by a Negro employed as a theatre cleaner by a contracting service, who charges that he is worked 70 to 80 hours a week for \$60 a month. The NRA legal department recently ruled that such employes, even though hired by cleaning contractors, are governed by the provisions of the industry code.

Naming of 2 Boards Is Expected Today

(Continued from page 1)

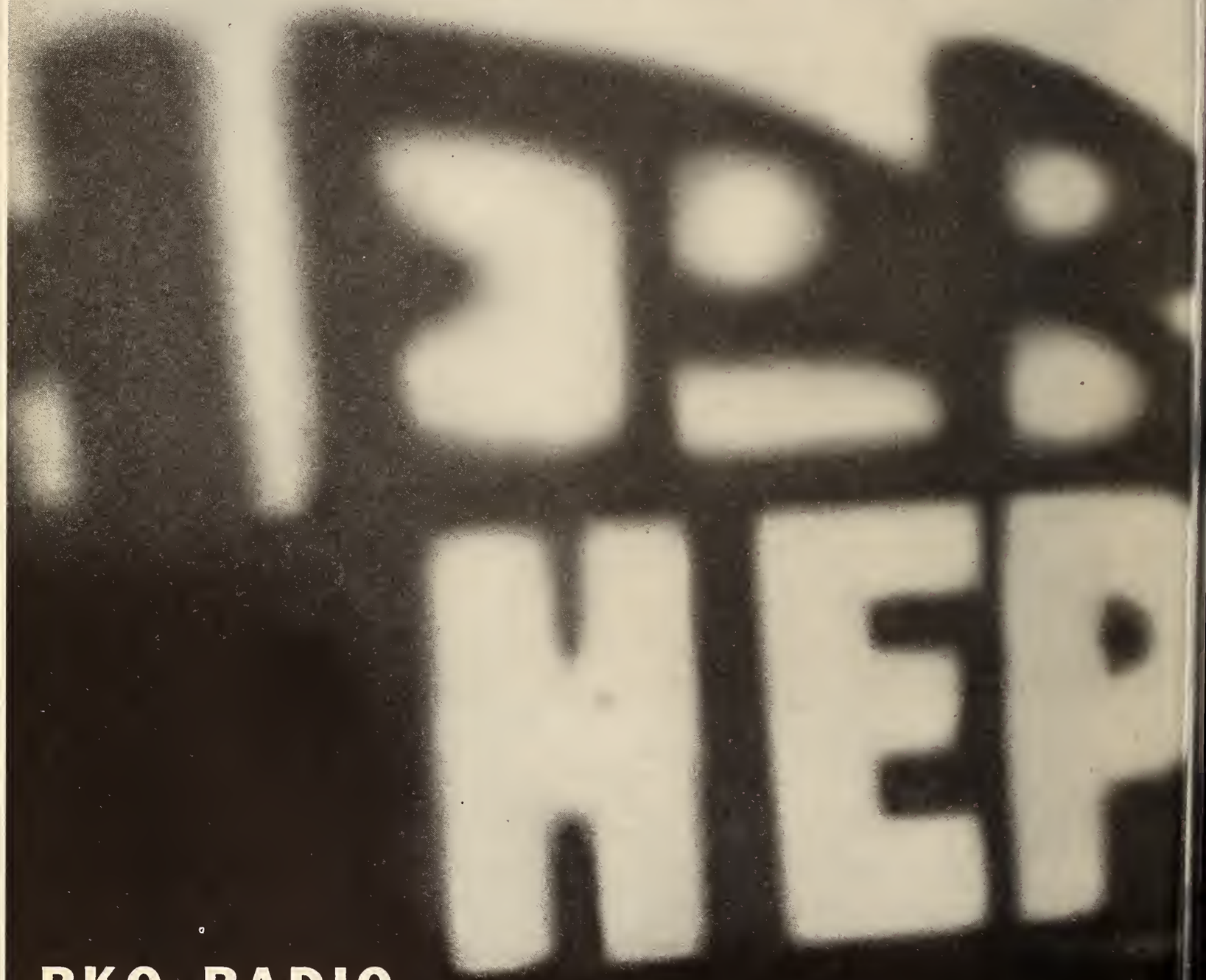
today when the committee on selections meets. A number of replacements on various boards also are expected to be completed today and approved by Code Authority at its meeting tomorrow when George J. Schaefer presides.

New Union Hearing Set

Individual hearings on circuit objections to recognition of Local 118, Theatre and Amusement Employes' Union, will be held before the NRA Regional Labor Board here, Ben Golden, an official of the board, said yesterday. The individual hearings will begin today with representatives of Loew's, Inc. Other circuits will be heard later.

WINNER OF FILMDOM'S HIGH
OF THE ACADEMY OF MOTIO

Enthroned by the love of
reigns over Stardom, que



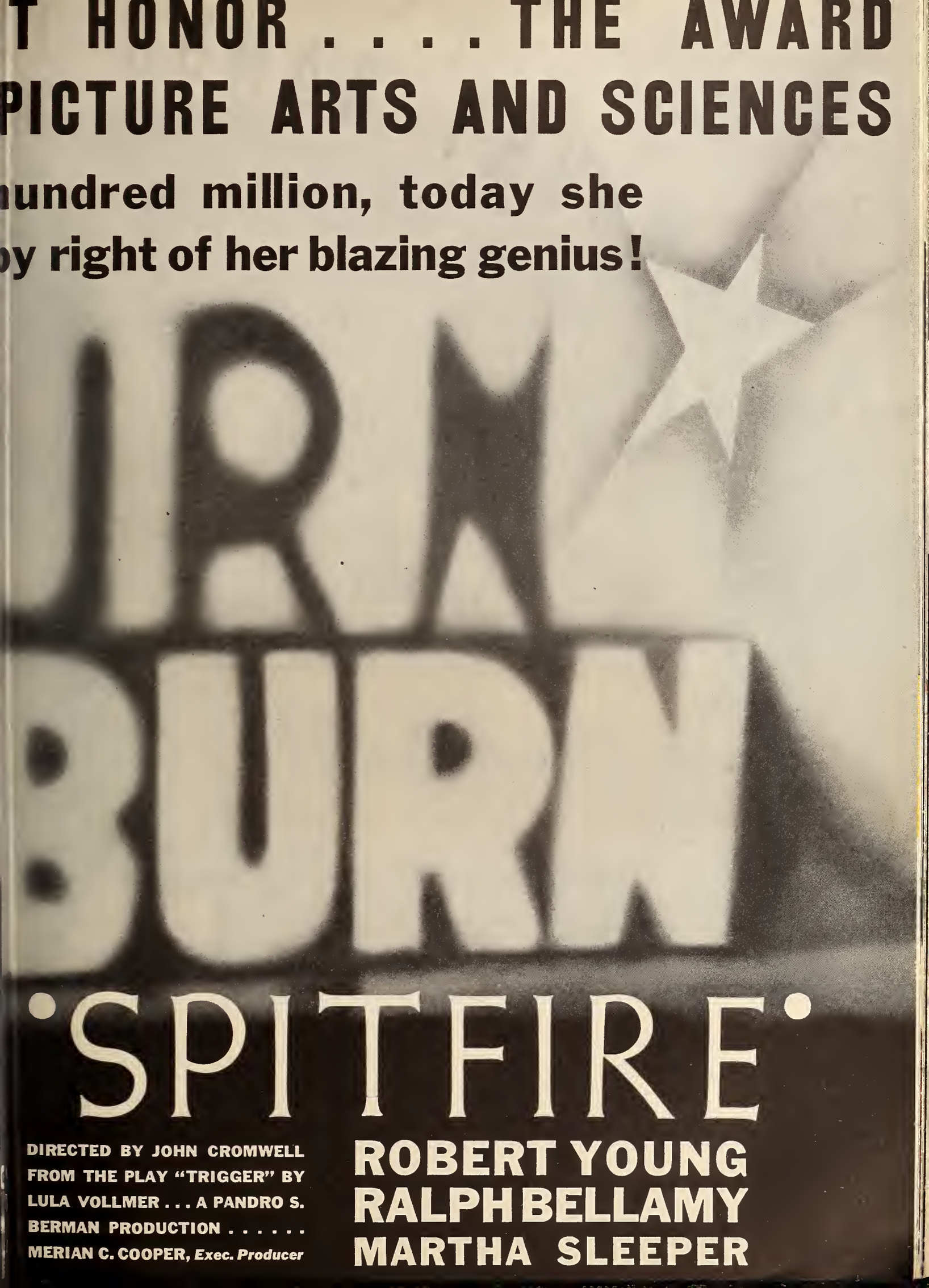
RKO RADIO PICTURE

EASTER WEEK THRUOUT THE NATIO

BACKED BY ANOTHER GREAT NATION
NEWSPAPER ADVERTISING CAMPAI

T HONOR . . . THE AWARD
PICTURE ARTS AND SCIENCES

hundred million, today she
by right of her blazing genius!



DIRECTED BY JOHN CROMWELL
FROM THE PLAY "TRIGGER" BY
LULA VOLLMER . . . A PANDRO S.
BERMAN PRODUCTION . . . . . .
MERIAN C. COOPER, *Exec. Producer*

ROBERT YOUNG
RALPH BELLAMY
MARTHA SLEEPER

PARAMOUNT BANDS I



Ben Bernie



BEN BERNIE, the Old Maestro, himself, and All his Merry Lads will appear in **"THE GREAT MAGOO"**, in which the Old Maestro, again himself, will play a role of some importance . . . . yowssah!

Duke



DUKE ELLING
attracted tho
The Duke ar
CARROLL'S
hip-moving

PARAMOUNT PICTURES



Guy Lombardo



GUY LOMBARDO and His Royal Canadians—the sweetest band this side of heaven, and Radio's most popular music, will attend their old pals **GEORGE BURNS & GRACIE ALLEN** in **"MANY HAPPY RETURNS"** . . . . and may they all be yours!

ington

— the world's hottest music has ox-office in its stage appearances. ill be heard and seen in **EARL THE VANITIES"** and will play AE WEST in **"IT AIN'T NO SIN."**

Paramount Pictures

Two Kansas Sunday Votes Up March 26

(*Continued from page 1*)

tion with city primary elections. Exhibitors in other Kansas towns where Sunday films are forbidden will watch the outcome as a guide to possible local action.

In Emporia, city officials authorized the referendum after checking petitions containing 2,000 names, which assured the vote. Several years ago the exhibitors lost a similar election by a small majority.

The Manhattan issue is expected to bring out one of the heaviest votes in years in a city election. Many of those registered are students at the State Agricultural College, who declared Manhattan as their legal residence in order to vote in the referendum. Local exhibitors are hopeful that a sufficient number of students, most of whom favor Sunday shows, will vote to assure a victory.

Whether the students should be permitted to vote has been a side issue on which the town has split. They were disqualified from voting in a recent referendum which decided against the theatres, following which the three local houses remained closed four weeks in a vain attempt to induce the city welfare board to grant Sabbath showings.

"One Night" Grabs $12,800, Buffalo

BUFFALO, March 20.—"It Happened One Night" continued to do phenomenal business in its second week and was held for a third. The Capra film took $12,800, or $6,300 above par. "Death Takes a Holiday" gave the Buffalo $16,000, or $1,000 over normal, for the only other excitement.

Total take was $49,200. Normal is $43,500.

Estimated takings for the week ending March 16:

"DEATH TAKES A HOLIDAY" (Para.)
BUFFALO—(3,500), 30c-55c, 7 days. Stage: Peter Higgins, Joe & Jane McKenna, Liazeed Arabs, Lewis & Van. **Gross:** $16,000. (Average, $15,000.)

"ACE OF ACES" (Radio)
"ORIENT EXPRESS" (Fox)
CENTURY—(3,000), 25c, 7 days. **Gross:** $5,000. (Average, $6,000.)

"MISS FANE'S BABY IS STOLEN" (Para.)
"EASY TO LOVE" (Warners)
GREAT LAKES—(3,000), 25c-40c, 7 days. **Gross:** $5,200. (Average, $8,000.)

"THIS SIDE OF HEAVEN" (M-G-M)
"HIS DOUBLE LIFE" (Para.)
HIPPODROME—(2,100), 25c-35c, 7 days. **Gross:** $5,800. (Average, $8,000.)

"IT HAPPENED ONE NIGHT" (Col.)
"BEFORE MIDNIGHT" (Col.)
LAFAYETTE—(3,300), 25c, 7 days. (2nd week) **Gross:** $12,800. (Average, $6,500.)

Gest Optimistic on Legitimate Outlook

"Show business hasn't started yet," Morris Gest told Cheese Club members yesterday. He said "if anyone tells you different it's because they feel that way about it."

As for legitimate roadshows, Gest stated that as soon as someone has "guts enough" they will come back with a bang.

Also on the program were Natika Balieff, Al and Louis Pincus, Donald Micheltoff, who appear in the stage and screen version of "Wonder Bar"; Eddie Miller, Wee Willie Robyne and Charles Brewster Millhollander, author of "Twentieth Century."

New Setup for Fox Units In Midwest Is Seen Near

(*Continued from page 1*)

sing toward a new plan, delay in settlement of the Woolf-Shanberg suits has left Midland in practically the same form as when it went into bankruptcy. The former Midland owners' questioning of the adjudication in bankruptcy prevents the election of a trustee and has caused a year's delay in the steps which ordinarily follow.

The two companies are so closely related that reorganization of both will not be possible until the larger creditors in the east agree on terms of a settlement. Woolf and Shanberg seek to recover close to $500,000 from Fox Midland. Rocky Mountain cannot proceed with any degree of certainty because Midland is subsidiary to it. If Rocky Mountain should proceed with a sale, with the subsidiary still in a muddle, it would affect the purchase price, if a bidder could be found on that basis.

Quick Appearances Spreading in K. C.

KANSAS CITY, March 20.—Kansas City being the transcontinental crossroads of the nation and a brief stopping point for east and westbound players, local managers are seizing the opportunity to hustle name talent from the trains to the theatre for flash personal appearances.

Loew's Midland started the vogue with Clark Gable, and the Publix Newman followed with Lanny Ross. Jimmy Durante is due to show at the Midland under these circumstances when he travels west shortly.

The Santa Fe Chiefs are held over their allotted time of 15 minutes while the stars are hurried to the theatre, show themselves on the stage and are rushed back to the Union station.

"Nana" Is Barred by Censors in Oregon

SPOKANE, March 20.—"Nana" has been barred by the official advisory board of film censors by a vote of eight to three on the ground it carries too much sex appeal. It was the second hearing for the picture. James Colburn, chairman of the board, said this action marked more rigid censorship on films that "glorify immoral life." Jack Kloepper represented United Artists at the hearing. The film was billed for the Granada, Portland, which is under the management of James Lyons.

Pauline Lord Signed

Pauline Lord, actress, has been signed to a long term contract by Paramount and will leave for the coast in about three weeks. No vehicle has as yet been chosen for her debut.

Polly Moran to Radio

HOLLYWOOD, March 20.—Polly Moran has been borrowed from M-G-M for an important spot in "Down to Their Last Yacht" at Radio.

Flying to Sick Mother

HOLLYWOOD, March 20.—Lola Gentry is flying to Indianapolis to see her mother, who is dangerously ill.

"Nana" Is $16,000 Hit in Providence

PROVIDENCE, March 20.—Curiosity about Anna Sten drew thousands to Loew's State and boosted the gross to $16,000, which is $4,000 over par. Other houses were forced to stand by and see most of the shekels pour into the Loew. The RKO Albee, however, booking "Success at Any Price" and a highly touted stage revue, managed to catch $500 over average. The Paramount, Majestic and Fay's were slightly off.

Total first run business was $42,300. Average is $40,500.

Estimated takings for the week ending March 15:

"SIX OF A KIND" (Para.)
"LOVE PARADE" (Para.)
PARAMOUNT—(2,300), 15c-40c, 7 days. **Gross:** $5,000. (Average, $6,500.)

"NANA" (U. A.)
LOEW'S STATE—(3,800), 15c-40c, 7 days. Stage: Ching, Ling Foo, Jr., with revue. **Gross:** $16,000. (Average, $12,000.)

"DEVIL TIGER" Fox)
FAY'S—(1,600), 15c-40c, 7 days. Stage: Reis and Dunn, radio stars. **Gross:** $6,500. (Average, $7,000.)

"SUCCESS AT ANY PRICE" (Radio)
RKO ALBEE—(2,300), 15c-40c, 7 days. Stage: "Passing Show" revue. **Gross:** $7,500. (Average, $7,000.)

"DARK HAZARD" (Warners)
"BELOVED" (Univ.)
MAJESTIC—(2,400), 15c-40c, 7 days. **Gross:** $6,000. (Average, $7,000.)

"MAN'S CASTLE" (Radio)
"CRIMINAL AT LARGE" (Helber)
RKO VICTORY—(1,600), 10c-25c, 4 days. **Gross:** $1,300. (Average, $1,000.)

Studios to Entertain MPTOA Individually

HOLLYWOOD, March 20.—Refusing to risk repetition of the fiasco of 1926, when the studios decided to fete the M. P. T. O. A. jointly, Ben Berinstein, local chairman of arrangements, has rejected the proposal of the Hays office to clear all studio entertainment through one central point with a single budget and will deal direct with individual studios, which have already voiced willingness to cooperate in welcoming the conventioneers.

Jack Warner has extended an invitation to those attending the convention to be his guests at the Warner plant. M-G-M and Universal have done likewise. The invitation of independents to attend a barbecue and wild west show has been accepted. It will mean night-and-day sessions should all studios extend similar invitations.

M-G-M Starts Big Construction Plan

HOLLYWOOD, March 20.—M-G-M today started work on a construction program calling for a building containing quarters for stars, a new administration structure, an emergency hospital, a dental office, a fire station, film storage vaults and larger studio commissary and casting offices.

Estabrook, Cukor Due

HOLLYWOOD, March 20.—Howard Estabrook and George Cukor start east Saturday on their way to London to get atmosphere for M-G-M's production of "David Copperfield," on which they are working.

Hays Places Ban on Dillinger Picture

(*Continued from page 1*)

is based on the belief that "such a pic ture would be detrimental to the bes public interest."

Paramount, linked by coast report and trade announcements recently wit a projected film based on Dillinger' career, concurred in the M. P. P D. A. action of yesterday. Despit the earlier Hollywood reports, Rob ert Gillham, Paramount advertisin and publicity head, stated yesterda that the company "never planned Dillinger picture."

The advertisements appearing i coast trade papers announcing tha Paramount was preparing a Dillinge picture "were inserted by Bartle Cormack and not by Paramount Gillham said.

Cormack is said to be writing th script based on Dillinger's exploits.

ITOA Installation Attendance Limite

Attendance at tonight's installatio of I. T. O. A. officers, at which May LaGuardia is scheduled to speak, w be limited to members and guests. Th Astor is the place and the time 7:30 P. M.

To be installed formally tonight a the following:

Harry Brandt, president; Leo Ju tin and Bernard Barr, vice-president Maurice Brown, secretary; Hym Rachmil, treasurer; Charles Oppe heimer, sergeant-at-arms; Willia Small, executive director.

Directors to be inducted are: L Brecher, Charles (Chick) Lewis, Ja Shapiro, M. Fleischman, Eugene Se ner, Lou Blumenthal, Louis Nelso A. H. Eisenstadt, L. Meyers, La rence Bolognino, Sam Schwartz, W liam Landow, H. Reisner, Doct Greenfield, Fred Small, S. Weinbe Rudolph Sanders, Stanley Lawto Leon Rosenblatt, David Davis, Da Rosenzweig and Bernard Pear.

About 450 will attend the banqu

Feel Educational Ma Do Producing Her

HOLLYWOOD, March 20.—The ser of postponements on the next Ar Clyde comedy has created a feeli that Educational may transfer all production activities to the east.

Tom Mix Joins Circu

DALLAS, March 20.—Movies nothing now in the life of Tom M He has signed with the Sam B. I circus, wintering here, and will on the road soon. Meantime he k time here with personal appearan at the Fort Worth Fat Stock Show

Para. and Wampas Fro

HOLLYWOOD, March 20.—The port here is that Paramount is try to get other studios to emulate it exploiting starlets in an attempt detract from the forthcoming W pas "Baby Star" frolic.

Roxy Books Three "U

The Roxy has booked three U versal pictures to be shown a Easter. The first will be "Let's Ritzy," followed by "I'll Tell World" and "Glamour."

Missouri Stay One of First For New Law

(Continued from page 1)

of in the act here as patrolling, or picketing, as it is sometimes called. . . . That is a clear statement of the intention of Congress, even where there is fraud or violence, picketing would not be restrained by injunction. Nothing could be more clear, it seems to me, than that.

"The only thing that can be enjoined so far as this case is concerned is the perpetration of acts of violence upon the plaintiffs or their property by the defendants."

The court upheld freedom of the press in dismissing injunction proceedings against the *St. Joseph Union-Observer*, union weekly newspaper, and its publisher, Maurice Hoffman, who also was counsel for the defendant unions. The decision held that Hoffman had not offended in printing news stories and commenting on the controversy "in accordance with his views," which, the court decided, "he had an absolute and perfect right to do."

Judge Otis cited that Hoffman had condemned theatre bombing and quoted from one of his editorials declaring "there is no place in St. Joseph for the gospel of the torch, the gun or the bomb."

The Norris act, the decision further stated, "has no power to enjoin the giving of publicity to the existence of, or facts involved in, any legal dispute, whether by advertising, speaking, editorially or any other method not involving fraud or violence."

Edward and Barney Dubinsky brought the action in the Federal Court under the Norris act and under interstate commerce laws, blaming the unions for explosions of stench, tear and dynamite bombs at the Missouri and Electric Theatres. The court asserted there was not "the slightest doubt" that the operators' union had caused the bombing.

Counsel for the unions contended the court had no jurisdiction to issue an injunction because the Dubinskys had made no reasonable effort to settle the dispute with the aid of available government machinery of mediation or voluntary arbitration as required by the Norris law.

Discussing that point, Judge Otis said that what the unions had in mind was the decision of the Regional Labor Board at St. Louis, but that decision, "even if it were binding on the plaintiff," is not final but is now pending on an appeal to the National Labor Board. The regional board recently ordered the Dubinskys to reinstate union employes at the old wage scale and under the conditions which obtained prior to the trouble.

Finding the operators' union responsible for the outrages, the court declared: "It is just too clear for any argument. Miracles do not happen, at least they are not repeated in this day." The explosions can not be ascribed to some "accident" and the theatre owners can not be blamed for them, the decision asserted.

The court warned that if the injunction is violated, and if the guilty ones are convicted, sentences to the penitentiary, "and not for the minimum period permissible under the statutes," would follow.

Members of the St. Joseph M. P. Operators' Union, Local 559, enjoined were: Warren S. Welsh, business agent, who is also union labor coordinator for St. Joseph and president of the Central Labor Council; Myron Coots, who is a vice-president of the Missouri State Federation of Labor; Ralph Elliott, Bert E. Newkirk, Fred Sumpter, Howard Sisson, E. I. Motley, Ed Harris, S. A. Waggy, J. J. Redmond, R. L. Clark, I. E. Ramseier.

The injunction also was against the stage hands' union, Local 43, and these members: S. A. Czachert, George Seippel, Walter Hay, Kay Lard and Charles Fitzjohn.

The petition was dismissed against six members of the musicians' union, but was made effective against one member, M. Bova, of Local 50.

Some 25 witnesses were heard prior to issuance of the decree. Virtually all of the defendants denied they knew anything about the bombing.

New Handle

Anthony — Tony to you — Muto has a very high-sounding title now. He is the "Special Representative of the President of the Motion Picture Theatre Owners of America."

Kent to Coast Soon

S. R. Kent plans another trip to the Coast shortly. Scheduled to leave this week, he may not get away until after April 15.

Mining Boom Opens Houses In Colorado

DENVER, March 20.—Theatres in three towns are being opened. Two of these have been without a theatre for four years, and the third has had none for seven years, and has never had sound. The boom in mining is the cause of the latter opening at Cripple Creek. If the ming boom becomes permanent, a great many towns in the state and in the Denver territory will have theatres again.

Ross Labart plans to reopen the Empress at Glen Rock, Wyo. Fred Lind, well known in Colorado, is remodeling a building at Littleton, 10 miles east of Denver. He will call it the New Grand and will install 300 seats.

William Diller will reopen the Alta at Cripple Creek soon. He is installing about 425 seats.

Breckenridge, Leadville and Colorado Springs will also be the scenes of reopenings in the near future.

NEW ORLEANS, March 20.—Reports from Shreveport, La., reaching here indicate three new houses to be opened shortly at Sulphur, Vinton and Liberty.

Neilan to Coast

Marshall Neilan is en route to the Coast, his second trip west in a couple of months.

Variety Club Chatter

Cincinnati

CINCINNATI, March 20.—A new office has been added to the executive roster of the Cincinnati tent, namely, assistant treasurer. RALPH KINSLER is the incumbent. He is second in command to ABE LIPP, whose multiplicity of other duties sometimes makes it impossible to attend every meeting.

The famous ladies' night (the word famous describes the night—not the ladies) heretofore held on Sunday, has been changed to Saturday. The female of the specie will be welcome on Sunday nights, although the usual routine will be absent. The change is an experiment and probably will be continued providing it doesn't interfere too seriously with some one's weekly ablution.

The first of a series of monthly shindigs was given Friday by order of Barker NOAH SCHECTER, chairman of the entertainment committee. Each member was permitted to bring a male guest. It was a delightful affair, and "a good time was had by all."

It recently was reported that RALPH KINSLER had been appointed chairman of the house committee, to succeed ALLAN MORITZ, who advanced to the presidency. This was incorrect. BILL ONIE is the chairman of this committee. Something wrong with this scribe's typewriter.

The "Kings for the Day" plan has been inaugurated. Barkers JOE KOLLING and MIKE SPANAGEL, the first "Kings," started the thing off with a bang. Others to follow include MARC (Big Bad) WOLF, who will be teamed with HARRY (Gold Standard) SILVER. After these come MANNY (Hi Toots) SHURE and JOE (Silent) GOETZ, RKO standbys.

Some one in the congregation recently rose to suggest that the title of the popular song be paraphrased to "When It's Gintime in the Rickeys."

LOUIS SCHNEIDER, county prosecutor, was guest speaker at the last meeting, and related some of the unusual incidents which transpire in the court. From some of the experiences which he related, the local court should be a gold mine for Bob Ripley.

A new picture of generous size of KATHERYN VARIETY SHERIDAN has been hung in the club's quarters. It is done in colors.

Barker L. B. WILSON has returned from a sojourn of several months in Florida. He reports that the "palms" are outstretched there the same as of yore.

C. E. PFISTER, skipper of the Mayflower at Troy, O., is the latest to receive the distinction of being called a barker.

There was a special broadcast over WCKY, Covington, Ky., radio station from 7 to 7:30 Sunday night dedicated to the Cincinnati Variety Club. Barker L. B. WILSON, who owns the station, put it over.

Columbus

COLUMBUS, March 20.—FATHER CORBETT, chaplain of the Columbus club, is wintering in Houston, but not being satisfied in enjoying a much-needed rest, is acting as assistant pastor of Holy Rosary Church there and has also organized its dramatic club in the city, which is planning to give its first production, "The Kingdom of God," immediately after Lent. Hope to have him back with us shortly.

The club last week was presented with a beautiful portrait study of Governor GEORGE WHITE, an honorary member. It is now gracing a conspicuous place in the clubrooms.

Had the pleasure of welcoming Barker JOE PENNER of Pittsburgh and MORTON DOWNEY. JOE looks as sassy as ever and welcomed the opportunity of renewing old friendships from the Pittsburgh club.

Barkers JOHN HARDGROVE and VIRGIL JACKSON, who were "Kings for a Night," Sunday sprang a surprise on the local membership when, instead of sending out an announcement of their attraction, they called at each barker's office with a small circus clown band and, after several selections, made their announcement of the program.

Barker H. E. CHERRINGTON, dramatic editor of the *Columbus Dispatch*, is still confined to Grant Hospital, but out of danger. At the luncheon every barker sent him a special "Get well card," which "CHERRY" called his fan mail.

Barker KLINE ROBERTS is busy with the Ohio coal code, one of the additional responsibilities he took on last year. Meetings of code members are being held in the clubrooms.

Lieutenant LESTER ARNOLD, one of the American officers who flew around the world in 1926, entertained as his guests a number of Variety Club barkers with a flight over the city in his new Douglas plane.

Pittsburgh

PITTSBURGH, March 20.—The biggest crowd of the season turned out for the stag in honor of Barker JOE PENNER. The club presented him with a handsome leather shaving kit.

JOHN MCGREEVEY, JOHNNY MORIN and T. J. SULLIVAN have all been visited by the stork within the last month.

JOHNNY HARRIS is vacationing on the Coast where he has been working out daily with the Pittsburgh Pirates at their spring training camp in Paso Robles, Cal. DICK POWELL, JOE E. BROWN, JR., and HARRY RUBY spent a few days with him there.

The annual stage and screen benefit show has been set for the Penn April 15.

JOHN MALONEY and "Doc" BEINHAUER may be persuaded to enter those six-day bike races at Duquesne Garden as a brother team. They're both platinum blondes.

ART LEVY got back from Miami all smiles and all sunburned. A few minutes at one of the gambling casinos paid his expenses, or most of them, any way.

EDDIE FONTAINE, president of the Cleveland chapter, was a guest of the club the night of the JOE PENNER party, the first at which JIMMY BALMER did not recite "Friends."

HARRY HARRIS and EARL ROESER motored to Florida, where they're escaping winter's closing rigors.

JERRY MAYHALL is now a musical contractor and has opened an office for band bookings in the Clark Building.

Jean Muir



has already won the applause of filmdom's severest critics. She has been awarded the Honor Page, Screenland's highest tribute, by editor Delight Evans, who says that Jean Muir "seems inspired to present the ideal of wholesome American womanhood as no other movie girl has ever done before"... Variety Daily calls her work "a topping performance, rounded and mellow"..."She reveals not only her fresh beauty but her poignant acting ability" says Lawrence Reid, editor of Motion Picture Magazine and Classic... And Film Daily declares that "Jean Muir looks like a star of unique qualities." Warner Bros. believe that these significant tributes presage many more triumphs to follow the definite success this new star has already recorded in pre-release engagements of

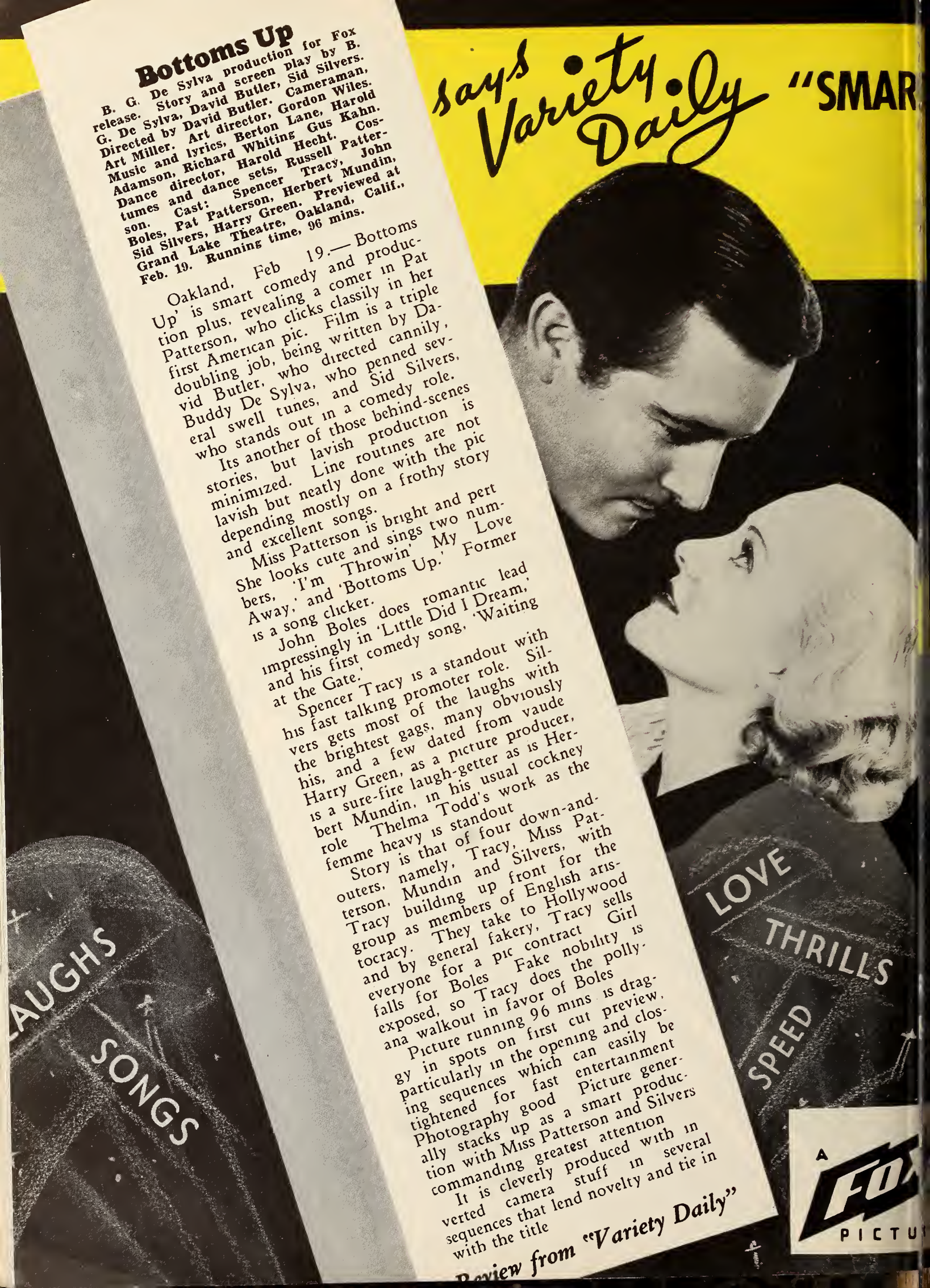
"AS THE EARTH TURNS"

With Donald Woods, Russell Hardie, Emily Lowry, Arthur Hohl, Dorothy Peterson, David Landau, Clara Blandick. From the best-seller by Gladys Hasty Carroll. Directed by Alfred E. Green. Vitagraph, Inc., Distributors.



'As The Earth Turns" can be profitably sold as the "First Bunkless Picture." Complete material from the record-breaking Dallas campaign, available now from Warner Bros.' Advertising Dept., will show you how.

says Variety Daily "SMAR



Bottoms Up

B. G. De Sylva production for Fox release. Story and screen play by B. G. De Sylva, David Butler, Sid Silvers. Directed by David Butler. Cameraman, Art Miller. Art director, Gordon Wiles. Music and lyrics, Berton Lane, Harold Adamson, Richard Whiting Gus Kahn. Dance director, Harold Hecht. Costumes and dance sets, Russell Patterson. Cast: Spencer Tracy, John Boles, Pat Patterson, Herbert Mundin, Sid Silvers, Harry Green. Previewed at Grand Lake Theatre, Oakland, Calif., Feb. 19. Running time, 96 mins.

Oakland, Feb 19.— Bottoms Up' is smart comedy and production plus, revealing a comer in Pat Patterson, who clicks classily in her first American pic. Film is a triple doubling job, being written by David Butler, who directed cannily, Buddy De Sylva, who penned several swell tunes, and Sid Silvers, who stands out in a comedy role. Its another of those behind-scenes stories, but lavish production is minimized. Line routines are not lavish but neatly done with the pic depending mostly on a frothy story and excellent songs.

Miss Patterson is bright and pert She looks cute and sings two numbers, 'I'm Throwin' My Love Away,' and 'Bottoms Up.' Former is a song clicker.

John Boles does romantic lead impressingly in 'Little Did I Dream,' and his first comedy song, 'Waiting at the Gate.'

Spencer Tracy is a standout with his fast talking promoter role. Silvers gets most of the laughs with the brightest gags, many obviously his, and a few dated from vaude Harry Green, as a picture producer, is a sure-fire laugh-getter as is Herbert Mundin, in his usual cockney role. Thelma Todd's work as the femme heavy is standout

Story is that of four down-and-outers, namely, Tracy, Miss Patterson, Mundin and Silvers, with Tracy building up front for the group as members of English aristocracy. They take to Hollywood and by general fakery, Tracy sells everyone for a pic contract Girl falls for Boles Fake nobility is exposed, so Tracy does the polly-ana walkout in favor of Boles

Picture running 96 mins is draggy in spots on first cut preview, particularly in the opening and closing sequences which can easily be tightened for fast entertainment Photography good Picture generally stacks up as a smart production with Miss Patterson and Silvers commanding greatest attention It is cleverly produced with inverted camera stuff in several sequences that lend novelty and tie in with the title

Review from "Variety Daily"

LAUGHS SONGS

LOVE THRILLS SPEED

A FOX PICTU

)MEDY...PRODUCTION PLUS....SWELL TUNES . FAST ENTERTAINMENT...'PAT' PATERSON LICKS CLASSILY...SPENCER TRACY A STANDOUT!"

en without a single song..."Bottoms Up" would be grand ertainment. A story loaded with emotional punch ...a mil- n laughs . . . a picture that will make every patron your end. A cast bright with appealing personalities...and watch at" Paterson! The tunes are extra...and extra catchy. B. G. Sylva and David Butler add another hit to their long list!

BOTTOMS UP



SPENCER TRACY
"PAT" PATERSON
JOHN BOLES

ERBERT MUNDIN • SID SILVERS
ARRY GREEN • THELMA TODD

Story and screen play: B. G. DeSylva, David Butler and Sid Silvers. Songs by Harold Adamson and Burton Lane, also Richard A. Whiting and Gus Kahn

Made by the makers of "Sunny Side Up"

Directed by David Butler

Produced by B. G. DeSylva

To Recommend End Of Admission Tax

(Continued from page 1)

day agreed to the deletion of a number of the so-called nuisance levies, the loss in revenue to be offset by retention of the tax of one dollar on each $1,000 of the capital stock of corporations and the five per cent excess profits taxes.

The action of the committee was based on a showing that the admission and other nuisance taxes failed to return anywhere near the revenue originally estimated. In addition, their elimination will simplify the tax situation by reducing the number of taxable items and will relieve the Internal Revenue Bureau of the necessity of auditing several hundred thousand returns a month.

The decision to drop the admission tax came as a surprise, as little attention had been paid to this feature of the bill by either the House Ways and Means Committee or the Senate Finance Committee during their hearings on the measure other than to receive appeals for relief of the legitimate theatre, circus and collegiate sports interests.

According to a computation by the committee, repeal of the admission tax will involve a loss of only $17,200,000 a year, and all of the taxes to be repealed have returned only $95,000,000 a year.

Move to Levy New Taxes Fails in L. A.

(Continued from page 1)

a hearing before the City Council's License Committee.

After hearing W. H. (Bud) Lollier and Fred Beetson warn that the additional burden might be too much for the industry, the committee voted against the proposal five to one.

Present taxes will continue except on theatres grossing in excess of $750,000 yearly. They will pay an additional $1,500 and an added tax of 40 cents for every $1,000 over the $750,000.

The present scale for a license to operate is based on the preceding year's grosses. Where the house takes in $20,000 annually the tax is $30 for a $50,000 gross, $90 for a $100,000 gross, $225 for a $500,000 gross, $900 for a $750,000 gross, $1,500 and 40 cents for each additional thousand. Studios pay $400 flat annually.

Had the proposed bill passed, it is estimated that the city would have been enabled to collect an additional $280,000 annually from the industry.

S. A. Lynch Returns

S. A. Lynch, in charge of Paramount theatre reorganization work, returned to his office yesterday following an extended rest in Florida, necessitated by illness and overwork. Greatly improved physically, Lynch is resuming work on a schedule somewhat less strenuous than the one he followed last fall and winter.

Charnow at Allied Meet

Julius Charnow, vice-president of Allied of New Jersey, yesterday substituted for Sidney Samuelson, president, at the unit's meeting which was described as "routine." Samuelson, now on a southern cruise, returns around April 5.

Looking 'Em Over

"King of the Wild Horses"

(*Columbia*)

Teeming with action and color, "King of the Wild Horses" is completely satisfying entertainment. It is an absorbing and interesting tale built around a horse called Rex, as intelligent and splendid a specimen of its kind as ever pranced before a camera. Lovers of horse flesh will go for this in a big way, no less than will fans who relish westerns. The atmosphere is authentic, the film having been shot on the Indian lands of Arizona. Scenes of Navajo ceremonials lend a picturesque note to the production.

William Janney, accepted into the tribe on reaching manhood, is ordered to capture Rex, ruler of the wild horses on the Navajo lands, as a test of his prowess. The horse is captured and Janney's whole life becomes wrapped up in the animal, so much so that his girl complains. Janney faces the danger of losing Rex when a gang of horse thieves headed by Wallace MacDonald, who passes himself off as a government inspector with orders to kill all diseased wild horses, is foiled in its plans when Rex turns back the herd of wild horses as it is being driven into a trap by the men.

Combats between wild horses and between man and man are scattered through the film in generous number.

Dorothy Appleby plays the Indian maiden. Others in the cast are Harry Semels, Ford West and Art Mix. Earl Haley directed.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"A Very Honorable Guy"

(*Warners*)

HOLLYWOOD, March 20.—This story, packed with amusing and novel situations, is sweet meat for Joe E. Brown, which he handled in typical style.

The yarn deals with "Feet" Samuels (Brown), a dumb cluck who gets himself into debt to "The Brain" (Alan Dinehart), head of a gang of racketeers. Being a "very honorable guy" in dire straights, Brown, as a last resort, sells his body to a doctor in order to pay his debt, promising to deliver it within 30 days. "The Brain" underwrites his note. Brown's luck immediately changes. Everything he touches turns to gold. He shortly finds himself fabulously rich with no desire to end his life.

Comes the time when the day of his marriage to Hortense (Alice White) and the day he is to "pay up" are the same. Remainder of the story moves Brown quickly through his adventures trying to oust himself from his predicament, being pursued throughout by Dinehart, his gang, and the doctor. Brown is freed from his troubles when the doctor is proved insane, which makes his promise null and void. He marries Alice in peace on a chicken farm.

Lloyd Bacon squeezed the most from the hilarious situations. Good support comes from the cast, which includes Hobart Cavanaugh, Arthur Vinton, Robert Barrat, and Irene Franklin.

A non-preview audience liked this one.

Give Nolan a Bag

RKO executives, who gathered at the Park Central last night to attend a farewell dinner to Joseph ("Joe") Nolan presented him with a traveling bag. For five years assistant secretary of RKO Distributing, Nolan leaves for Hollywood tomorrow to become assistant to B. B. Kahane, recently appointed president of RKO Studies, Inc.

Roach Adds Two to Gang

HOLLYWOOD, March 20.—In lining up a new "Our Gang," Hal Roach retains Tommy Bond, Spanky MacFarland and Stymie. After staging many contests he has added Scott Beckett, four years old, under a five-year contract, and Willie Mae Walton, four-year-old colored girl.

Plays for Warner Club

Warner employes have formed a dramatic club called The Warner Club Players to present plays at club meetings.

Who? What? When?

(Continued from page 14)

company took over its second house. Garman has always been active in organization matters and, for a number of years, was a vice-president of the M. P. T. O. of Maryland. He is 58 years old.

SIDNEY B. LUST, second exhibitor representing unaffiliated subsequent runs on clearance and zoning, is a New Yorker by birth. Thirty years ago, he was stage manager holding a union card at the Marlowe in Jackson, Tenn. He held it four years. At the expiration of the following four years, Lust was out on the road as stage carpenter with Kate Claxton "Two Orphans" and "Dorothy Vernon of Haddon Hall." Later, he was engaged by Cliff Gordon and Bobby North, now a supervisor in Hollywood, to manage "Son of Solomon," a vaudeville act with Hugh Herbert, who, incidentally, is now under contract to Warners. Lust played the Orpheum time and the Sullivan and Considine circuit, then quitting the road to sell Warner's Features here for P. A. Powers and Harry M. Warner. That Warner company went into receivership a year later at which time Lust, together with Warner, bought the exchange and a Triangle franchise. He, therefore, had one of the first state right branches in the territory. Ten years ago, Lust entered exhibition and today operates on his own in four towns while holding an interest in three theatres in Alexandria, Va. In Hyattsville, Md. he has the Arcade (575 seats), in Mt Rainier, the Cameo (500), in Rockville, the Arcade (400), in Washington, the Leader (500) and Hippodrome (300). His interest in Alexandria is in the Alexandria Amusement Corp., which controls all of the houses in town. They are the Capito (300), Ingomar (4,500) and Richmond (750). Lust is a vice-presiden of the M. P. T. O. of the Distric of Columbia, an affiliate of the na tional M. P. T. O. A., and a directo in it; and a trustee of the Communit Chest, for which he has been makin an annual film for two years now. Lo cal theatres run it as a civic duty.

PROFESSOR HECTOR G. SPAULDIN impartial member on clearance an zoning, is a member of the faculty o the law school at George Washing ton University.

Cherry Gets Dallas Jo

DALLAS, March 20.—James C Cherry, veteran theatre executive an manager of the Palace, has been ap pointed city manager for the six In terstate Theatres in Wallas. Cherr recently won the award offered b Ernest Lubitsch for the best campaig on "Design for Living."

I Am Seeking a Partner

Experienced motion picture executive will invest money and services in a legitimate motion picture enterprise, preferably production and distribution. He has had extensive production experience and desires to associate with a man who has had distribution experience. Only men of the highest calibre need apply. References will be exchanged.

Box 135, MOTION PICTURE DAILY
1790 Broadway New York, N. Y.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 35. NO. 67 NEW YORK, THURSDAY, MARCH 22, 1934 TEN CENTS

Line Up Busy Schedule for MPTOA Meet

Business Items Varied—Entertainment Lavish

Tentative program for the M.P.T.O.A. convention, as it stood yesterday, appears on page 8.

Program for the annual convention f the M.P.T.O.A. in Los Angeles April 10-12 took definite form yesterday. The entertainment features of ne program are in charge of the convention arrangements committee in Los Angeles of which B. N. Berinstein s chairman.

The general plan is to hold the business sessions in the forenoons, the trips nrough the studios in the afternoons

(*Continued on page 8*)

See Big Year Again With Fair's Return

CHICAGO, March 21.—With the Chicago World's Fair set to play a return engagement at the end of spring, exhibitors here are looking forward with high hopes to another big year. An index of what they may expect s the number of advance reservations eported by Chicago hotels. Officials f the Stevens and Palmer House and maller hostelries announce reservations are as much as double those of ast year.

Expectation that this year's hotel rade will be 80 per cent transient and ourist, as against 20 per cent in 1933, s pointed to as indicating bigger exposition crowds and hence bigger boxffice business.

Three Bills Aimed At N. Y. Censorship

ALBANY, March 21.—Three bills for bolition of censorship are pending in he Legislature. The latest was introduced today.

Two bills presented by Assemblyman Herbert Brownell, Jr., of New York, are designed to continue the resent $3 per 1,000 feet negative

(*Continued on page 4*)

RKO Picks Muchnic To Succeed Nolan

George Muchnic has been appointed ssistant secretary of the RKO Distributing Corp. by Ned E. Depinet, resident. He succeeds Joseph Nolan,

(*Continued on page 4*)

Begin With Gin

Cincinnati, March 21.—Whether intentional on the part of the host, or a slip of the printer, is not known, but invitations to a midnight party to be given by a local exhibitor, read in part: "Festivities will be gin at 11:30."

Coast Agents, Actors Draft Labor Pact

HOLLYWOOD, March 21.—After several meetings between attorneys representing agents and those representing the State Labor Bureau, to draft a new set of rules and laws by which the state can adequately supervise the agents' employment activities, both parties held their final meeting here today and agreed on a new draft acceptable to both factions. This draft will now be forwarded to Joseph J.

(*Continued on page 4*)

Skouras Orders End Of All FWC Triples

Declaring he is against triple features in any shape or form, Charles Skouras has ordered them out of Fox West Coast houses. Some F. W. C. managers have been adding previews to dual bill shows on the coast while Skouras has been in the east. When the practice was called to his attention, it was immediately ordered stopped, according to Skouras.

Another Para. Rent Claim Is Expunged

A $2,500,000 rent claim against Paramount Publix, filed by the Chippewa Realty Co for the Great Lakes

(*Continued on page 4*)

YEAR MORE OF TAX ON TICKETS LOOMS

Council Told 75% of Films Hit the Mark

That 75 per cent. of Hollywood's output is acceptable to the critical eyes of leaders of the Motion Picture Research Council was among the first statements to be made by Mrs. August Belmont, New York social luminary and new president of the organization, in addressing the council's national conference luncheon at the Hotel Roosevelt yesterday.

Everything considered, the industry itself was treated pretty leniently by the luncheon speakers despite the fact that films came in for their full share of such harsh, descriptive terminology as "low-charactered" merchandise and

(*Continued on page 10*)

Code Complaints to Be Aired at Hearing

WASHINGTON, March 21.—Declaring that a "very large number" of complaints against the code have been filed with them, officials of the recently appointed National Recovery Board of Review will hold a hearing March 26 on charges that the agreement is

(*Continued on page 4*)

Rosenblatt Receives $7,060 in NRA Post

WASHINGTON, March 21.—Sol A. Rosenblatt, division administrator in charge of amusements, today was shown to be among the highest paid

(*Continued on page 4*)

Senate Finance Group Favors Continuance Of Present Levy

WASHINGTON, March 21.—Retention of the present admission tax until after July 1, 1935, was provided for today by the Senate Finance Committee through rejection of Chairman Pat Harrison's plan for elimination of a number of nuisance taxes, admissions included.

The committee accepted Harrison's proposal for retention of the capital stock and excess profits taxes and made a few changes in miscellaneous taxes other than admissions, but held it unwise to make any wholesale elimination of taxable items until capital stock and excess profits revenues begin to come into the Treasury 15

(*Continued on page 4*)

Lilyan Tashman Dies In a Hospital Here

Lilyan Tashman died unexpectedly yesterday afternoon at the Doctors' Hospital following an operation performed five days ago for a tumorous condition. Her death came as a shock to those in the show world. Edmund Lowe, her husband, was present at her death.

Miss Tashman was born in Brooklyn and attended New York public schools. Her early ambition to become an actress led her to a tour of New York agencies. While on one of

(*Continued on page 7*)

Poster Men to Meet Apr. 7 in St. Louis

ST. LOUIS, March 21.—Members of the National Poster Service Ass'n from all over the country are slated to hold an important meeting here around April 7. Simon Libros, of Philadelphia is president of the organization, which plans to print its own posters on pictures from all companies.

Recently the men met in New York where tentative approval was given the plan for putting out posters on a plan similar to distributing companies.

Lesser Will Repeat 'Tarzan' Experiment

HOLLYWOOD, March 21.—Sol Lesser will follow the experiment of "Tarzan, the Fearless" with another picture along the same lines. When

(*Continued on page 4*)

Hearst Paper in Chicago Tries New Type Reviews

CHICAGO, March 21.—Exhibitors and distributors alike are watching the recent innovation in film reviews instituted by the *Chicago Evening American* under which this newspaper is publishing forthright "reports" on pictures rather than critical opinions. This change to reporting on pictures in place of the time honored criticism is an idea nurtured by William Hollander, advertising director of B. & K., over the past two years. Hollander was no little surprised, and

(*Continued on page 7*)

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Advertising Manager

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Switch in Direction

HOLLYWOOD, March 21.—Busby Berkeley, originally scheduled to handle the direction of Warners' "Dames," will now handle only the dance and musical numbers. Ray Enright will direct the story.

Hillyar Injured

CINCINNATI, March 21.—William J. Hillyar, associate editor *The Billboard,* sustained painful, although not serious, injuries when his automobile skidded and overturned on a country road.

Wampas Frolic Set

HOLLYWOOD, March 21.—With election of the Wampas "Baby Stars" slated for March 27, it has been definitely decided to stage a "Baby Star" frolic in conjunction with the event.

Mrs. Herrick Due Today

Mrs. Eleaniore M. Herrick, in charge of the local regional NRA labor board, returns today from a quick trip to Washington.

Kelly Goes Saturday

Arthur W. Kelly, vice-president in charge of foreign distribution for United Artists, leaves for Hollywood Saturday and thereafter for Australia.

BEN BLUE

Under Contract
WARNER BROS.
VITAPHONE STUDIO
Now Making Personal
Appearances in England
Direction of
JOE RIVKIN — Leo Morrison Agency

The Pay-Off

ON March 13, this column said, among other things:

"What is solid opinion throughout the country talking about? Here in New York and certainly in Hollywood there is apt to be too much self-complacency, too much self-satisfaction in affairs celluloid and much too little concern over what important factors in molding public opinion reflect and talk about.

"Confined to no particular creed, churchmen of many denominations are urging their constituents to watch the types of pictures which play their local theatres. In some instances, and enough of them to indicate all is not well with the current status of business, the public is being admonished not to go at all.

"It's the old story, not even in new dress, but enough momentum, backed by enough reason, has been given the movement to make it frightfully dangerous if notes are ever matched and a joint course of procedure ever determined upon.

"The inescapable fact that ties in with all of this is that many of the potshots taken at films strike home because the bullets are manufactured from truths. . . ."

▼

BOB WILBY, one of the leading showmen of the Southeast and acknowledged as such by all who know him or of him, noted and digested the comment, then dropped the following in the mailbox:

"You are right in what you say, but there's a lot more to be said. The real objection to the type of dirt that now is getting into pictures is not in the company making a 'She Done Him Wrong' or any other story that very definitely stands for what it is, and thereby gives warning to anybody who goes into the theatre as to what they will see, but to the gags which are injected into otherwise clean pictures. And that goes particularly for the 2-reel comedies. Take 'Wonder Bar'; there's no reason in the world for some of the things in that picture and there is nothing about 'Wonder Bar' that would give the patron of the theatre any advance warning that that's what he is getting in for. Some of the gags in 'Scandals,' an otherwise delightful picture, are the same way.

"That's the sort of thing that the Hays organization seems unable to combat. They can bar a complete story, and they generally make suckers of themselves when they do it, but they seem unable to get at the Pullman smoker gags injected into the revue or comedy type of film, and I honestly believe that this is the source of most of the censor troubles that are springnng up so fast over the country.

"The funny part of it is that these gags never add anything to a picture. They just detract, whereas the completely risque picture may entice an audience all its own into the theatre and, at the same time, keep out those people who do not care for that sort of thing.

"I'm not crusading—I'm just telling you."

And that appears to be that.

▼

WHAT continues to go on throughout the nation? There is, for instance, the problem advanced for Hollywood to ponder over by Herman J. Bernfeld, writing editorially in the *Cincinnati Enquirer,* a daily of much power in its territory. That constant revision in any production code of ethics is necessary and always will be is this writer's thought. He reflects over the question of whether changes should come through revolution or evolution, points out sporadic crusades are of little value because usually they are localized,

(*Continued on page 7*)

Most Issues Off on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	26⅞	26⅜	26⅞	— ⅜	300
Consolidated Film Industries	4½	4⅜	4⅜	— ¼	400
Consolidated Film Industries, pfd	15½	15	15	— ½	900
Eastman Kodak	89	87¾	87¾	—1¼	1,200
Fox Film "A"	15⅜	15	15	.....	500
Loew's, Inc.	31¾	30½	31¼	— ¼	4,300
Loew's, Inc., pfd	90	90	90	+1	100
M-G-M, pfd.	23	23	23	—1	100
Paramount, cts.	4⅞	4½	4¾	— ⅛	7,800
Pathe Exchange	3¼	3⅛	3¼	— ¼	2,500
Pathe Exchange "A"	18¾	17¾	18¾	— ¼	800
RKO	3⅜	3¼	3⅜	— ⅛	500
Warner Bros.	6¾	6⅜	6⅜	— ¼	1,200

Technicolor Drops ¼ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	8½	8½	8½	— ¼	700

Warner Bonds Off One

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	97⅛	97⅛	97⅛	— ⅜	28
General Theatre Equipment 6s '40, ctf	83¼	83⅛	83¼	+ ¼	20
Loew's 6s '41, ww deb rights	98	97½	97½	+ ½	5
Paramount Publix 5½s '50	49¼	49¼	49¼	— ⅛	5
Warner Bros. 6s '39, wd	55⅜	54	54	—1	7

Purely Personal

ANNABELLA, French actress, and ROGER DANN and ANDRE VERLEY, all under contract to Fox, arrive today on the *Ile de France* and will leave immediately for the Coast to work in the French version of "By Royal Command."

JACK JOSSEY and JIM ALEXANDER are Monogram men and are in no way connected with Majestic. Both are in town conferring with W. RAY JOHNSTON and EDDIE GOLDEN.

LEO ABRAMS, MAX COHEN, LOUIS NIZER, CHARLES ROSENZWEIG, HARRY BRANDT, JULIUS TANNEN and WILLIAM SMALL among M. P. Club diners yesterday.

MILT KUSELL, who returned yesterday with NEIL AGNEW from a southern cruise which took them as far as Trinidad, lost 11 pounds on the trip.

HERBERT SPENCER BERG has new cheaters—chromium plated rims 'n' everythin'. Strained his eyes looking for U. A. publicity.

KEN MAYNARD sails today with MRS. MAYNARD on the *Berengaria* for a tour of Europe.

JIMMY CAGNEY is around New York. It's all supposed to be very quiet.

HARRY C. ARTHUR has booked "Journal of Crime" for the Roxy, date undecided.

RIAN JAMES, former columnist now turned scenarist, is at the St. Moritz. Just in from Hollywood.

ANDRE DAVEN, European production manager for Fox, arrives today on the *Ile de France.*

MYRON SATTLER, New York Paramount branch manager, leaves today for a West Indies cruise.

J. J. UNGER is still basking in Florida sunshine.

VIRGINIA PINE is another coast visitor.

Talbot on New Ticket

HOLLYWOOD, March 21.—Lyle Talbot has been given a new First National contract.

MOTION PICTURE ALMANAC
1934-35
NOW IN PREPARATION
WHERE THE WORLD LOOKS FOR MOTION PICTURE facts
PRICE $5.00

HAROLD TEEN

He's in the Movies Now . . . Thanks to **WARNER BROS.**

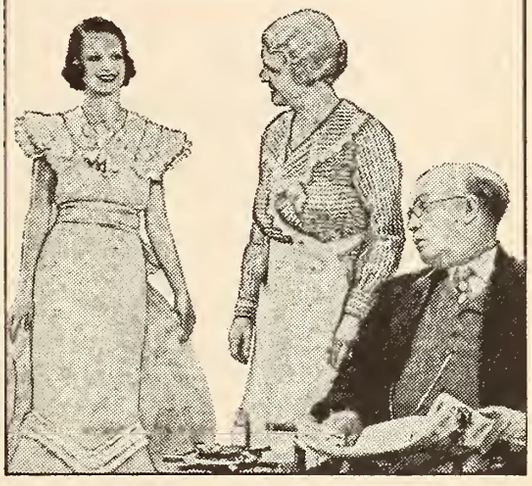


See Carl Ed's famous comic strip-ling brought to life . . .

With Hal LeRoy, boy wonder of "Wonder Bar", as Harold...



And Lillums in the flesh, played by adorable Rochelle Hudson...



With Mimi (Patricia Ellis) and Pa Lovewell (Guy Kibbee) . . .



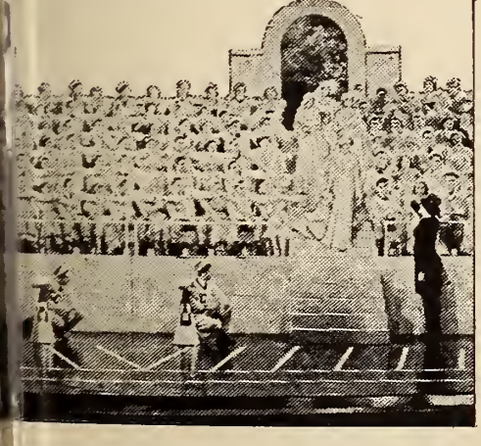
And all the other lovable folk of your favorite funny feature!





Watch Broadway's greatest tap-dancer do his stuff in "Collegiate Wedding"...

And 4 other big spectacle song numbers in the famous Warner Bros. manner.



It has "universal appeal" says "Variety Daily", noted Hollywood authority.



Don't miss it if you like to laugh. At leading theatres soon!



NATIONAL ADVERTISING to pre-sell this showmanship special to the thirty-four-and-one-half million followers of America's favorite comic strip, will be started this week by **WARNER BROS.**

Hugh Herbert—Hobart Cavanaugh—Directed by Murray Roth

Vitagraph, Inc., Distributors

Coast Agents, Actors Draft Labor Pact

(*Continued from page* 1)

Creem, Commissioner of the California State Division of Legislation and Statistical Law Enforcement and Industrial Employment Relations in San Francisco.

A committee of three, composed of Austin Sherman, chairman, Martin Gang and Ralph Blum, represented about 95 per cent of the agents, while Thomas Barker, Chief Deputy from Los Angeles of the State Labor Bureau, and Charles F. Lowy and George L. Schaumer, attorneys, represented the Labor Bureau.

Highlights of Pact

Among the highlights of the new rules and laws are those which state that certain provisions must be embodied in all contracts between artists and agents which give the right to the artist to enter into contract with the agent and the right to cancellation of this contract if the agent doesn't perform that which he agreed to. Another rule states that under any oral contract, in order for the agent to collect his fee, he must first prove that he secured the job for his client. It was further ruled that all contracts entered into between an agent and an artist must be submitted to the local Labor Bureau for approval, and that all controversies arising out of, or in connection with, contracts between agents and artists, involving the new proposed Employment Agency Act, or the rules, must also be submitted to the Labor Bureau for determination.

The new draft was considered by both the Labor Bureau and the attorneys representing the agents to be a great achievement, and all concerned are gratified that the State and the agents can now coordinate in solving many problems that have heretofore caused considerable legal battles over various contracts used by different agents.

The agents committee was given the power to represent the agents by 13 lawyers representing 95 per cent of the agents.

3 on Way to New York

HOLLYWOOD, March 21.—Emanuel Cohen left for the east tonight for conferences with home office executives on new product. Others also on their way east are Robert Montgomery, who is on a three-week vacation, and Nick Foran, recently signed by Fox to a long termer, who will confer with his manager in New York on a stage engagement. The latter will return here April 8 to resume picture work, later hiking back to Broadway for stage work, his contract permitting him to divide his time between stage and screen.

Protests Receiver Bill

ALBANY, March 21.—Federal Judge John C. Knox protested to Governor Lehman today against signing of the McNaboe bill designed to prevent the appointment of the Irving Trust Co. as receiver in Federal cases. The Governor vetoed a similar bill last year.

Code Complaints to Be Aired at Hearing

(*Continued from page* 1)

adversely affecting independent interests.

The board was created by an executive order issued March 7 by the President "to ascertain and report to the President whether any code or codes of fair competition approved under authority of Title I of the National Industrial Recovery Act are designed to promote monopolies or to eliminate or oppress small enterprises or operate to discriminate against them, or will permit monopolies or monopolistic practices."

If in any instance the board finds in the affirmative it is to recommend such changes as, in its opinion, will rectify or eliminate such results.

Officials of the board stated that so many complaints have been received that it has been impossible as yet to catalog them, although cursory examination disclosed that they touched upon a number of provisions of the code. The complaints, filed by the so-called independent interests, have been formal and informal, the former being received on official forms made available by the board. Names of complainants and details of their charges have not been made public.

Another Para. Rent Claim Is Expunged

(*Continued from page* 1)

Theatre, Buffalo, was ordered expunged yesterday by Referee Henry K. Davis.

Referee Davis's order followed closely on the action of the U. S. District Court here in sustaining Davis's action in disallowing a similar claim of $619,805 filed against Publix Enterprises on behalf of the Paramount at Steubenville, Ohio. The expunging of both claims is based on a recent decision of the U. S. Supreme Court, holding that future rent claims are not provable against bankrupts. A total of more than $100,000,000 of such claims have been filed against Paramount Publix and Publix Enterprises, all of which, it is now regarded as certain, will be disallowed by the bankruptcy court as rapidly as the claims are heard.

RKO Picks Muchnic To Succeed Nolan

(*Continued from page* 1)

who leaves for the coast today to start work as assistant to B. B. Kahane, president of RKO Radio Studios, Inc.

Muchnic has been in the company's audit control department for the past year and a half, and before that was connected with RKO theatres.

Thomas Quinn has been named head of the claim department, which will be established as a separate unit; E. J. Smith, formerly assistant to Muchnic, succeeds him in charge of audit control; Frank Alford leaves the statistical department to become assistant to Smith; Joseph Skelly, manager of branch operations, will add the handling of exchange leases to his duties.

Postpone P.-P. Meet

Continued examination of Paramount Publix executives in bankruptcy proceedings before Referee Henry K. Davis, scheduled for yesterday, was postponed to April 3.

No Decision Reached On N. Y. Boards

Because of differences of opinion among members of the committee on selections for clearance and zoning and grievance boards yesterday, no decision was reached on recommendations for the Greater New York boards.

It is understood certain members of the committee are for setting up three separate clearance and zoning and three separate grievance boards, each with equal authority to act. Other members are understood favoring strict adherence to the provisions of the code which provide for only one of each type of board. Unanimous approval of any plan must be recorded in order to be adopted.

The matter will be put up to Code Authority for determination at its meeting this afternoon. Certain recommendations were made for the Philadelphia boards, but, it is believed, some committeemen are at variance with the tentative selections. This may hold up final announcement of the Quaker City setups today.

Suggestions for replacements on the Minneapolis and other boards were made yesterday and probably will be approved today. Division Administrator Sol A. Rosenblatt is expected to announce the impartial members of the Minneapolis boards as well. New York and Philadelphia government observers will be appointed, provided the Code Authority comes to an agreement on the rest of the personnel of the boards.

Rosenblatt may be asked to rule on the New York situation if Code Authority cannot reach a unanimous decision.

Rosenblatt Receives $7,060 in NRA Post

(*Continued from page* 1)

officials of the NRA, with a salary of $7,060 a year. Information regarding Rosenblatt's salary was contained in a report filed with the Senate in response to a resolution adopted last month.

General Counsel Donald A. Richberg receives more than any other NRA official, his gross salary being listed as $14,120, while Administrator Johnson receives $7,060, and Frances M. Robinson, his executive assistant, gets $6,800. Alvin Brown, executive officer, also receives more than Johnson, having a salary of $8,470.

Lesser Will Repeat 'Tarzan' Experiment

(*Continued from page* 1)

Principal sets into production "Chandu" in about four weeks, enough footage will be taken to make a feature in addition to a serial. Gayne Whitman will be starred.

If an exhibitor wants the picture, he can follow with eight two-reel chapters. If he wants to play the serial alone, 12 two-reel episodes will be available.

Lesser will follow "Chandu" with "Peck's Bad Boy," with Jackie Cooper.

A Year More Looms of Tax On Admission

(*Continued from page* 1)

months hence. The action of the committee means that in all probability there will be no change in the admission tax until 1936 unless the position of the Government so improves this year as to permit of renewed tax consideration next session.

Under Senator Harrison's plan a number of the nuisance taxes were to be repealed, the $95,000,000 in revenue which would be lost to be offset by the continuance of the capital stock and excess profits taxes. The most important of the taxes selected for elimination from the standpoint of revenue return was that on admissions, estimated at $17,200,000 a year.

The Finance Committee refused to make any changes whatever in the admission tax provision, turning a deaf ear to appeals for relief from the circus industry.

Richmond Women in New Film Movement

RICHMOND, March 21.—The M. P. Research Council's campaign against block booking under the management of Rev. William P. Short has reached this city in the form of a movement to organize the M. P. Forum. Mrs. Channing M. Ward is active in the effort.

Among its plans is the formation of a review board to view all pictures coming to the city and make recommendations in advance of showing. Mrs. August Belmont declined an invitation to attend an organization meeting and invitations are to be sent to Short and to Division Administrator Sol A. Rosenblatt for another meeting to be held in April.

Three Bills Aimed At N. Y. Censorship

(*Continued from page* 1)

tax, to reduce the $2 positive tax to $1.50 per 1,000 feet, to abolish the censorship board and to transfer the tax collection functions from the State Education Department to the Department of Audit and Control.

A third bill, sponsored by Assemblyman Irving D. Neustein, is intended to permit the showing of newsreels and educational and scientific films without the payment of fees.

Patman Bill Target Of Baltimore Woman

BALTIMORE, March 21.—Congressman Patman's Federal censorship bill is denounced as "another form of prohibition and just as sure to be a flop," by Mrs. William Bauernschmidt, secretary of the Public School Ass'n here.

Mrs. Bauernschmidt believes that local censorship by state boards has proved itself useless and that the passage of the Patman bill would do very little more than create another group of official meddlers.



VIVA WILK!

Shout it from the house tops!



'David Harum' And 'Bar' Top Philadelphia

PHILADELPHIA, March 21.—"David Harum" and "Wonder Bar" gladdened the hearts of local exhibitors last week. The former landed a neat $23,000 at the Fox and held over for a second week. The latter grabbed $22,000 at the Stanley and got a second week with a third likely.

"Bolero" got an extra day at the Boyd, taking $12,000 for seven days. "Nana" hit the toboggan for its second week, getting $6,000—half its first week's gross. Has a third to go, however, before "Palooka" replaces it.

Total first run business was $102,200. Average is $82,300.

Estimated takings for the week ending March 15:

"NANA" (U. A.)
ALDINE—(1,300), 40c-55c-65c, 6 days, 2nd week. **Gross:** $6,000. (Average, $7,000).

"QUEEN CHRISTINA" (M-G-M)
ARCADIA—(600), 25c-40c-50c, 7 days. (2nd run.) **Gross:** $4,200. (Average, 6 days, $2,400.)

"BOLERO" (Para.)
BOYD—(2,400), 40c-55c-65c, 7 days. **Gross:** $12,000. (Average, 6 days, $12,000.)

"SIX OF A KIND" (Para.)
EARLE—(2,000), 40c-55c-65c, 6 days. Stage: Sophie Tucker, Sidney Marion and Estelle Jayne, Gaudsmith Brothers, Lee Murray and Sinclair Twins. **Gross:** $14,000. (Average, $12,000.)

"DAVID HARUM" (Fox)
FOX—(3,000), 30c-40c-60c, 6 days. Stage: N. T. G.'s "Paradise Revue" and Johnny Marvin. **Gross:** $23,000. (Average, $12,000.)

"ONCE TO EVERY WOMAN" (Col.)
KARLTON—(1,000), 30c-40c-50c, 6 days. **Gross:** $3,000. (Average, $3,500.)

"EVER SINCE EVE" (Fox)
KEITH'S—(2,000), 25c-35c-45c, 6 days. (2nd run.) Vaudeville on stage. **Gross:** $6,000. (Average, $7,000.)

"WONDER BAR" (Warners)
STANLEY—(3,700), 40c-55c-65c, 6 days. **Gross:** $22,000. (Average, $12,000.)

"GOOD DAME" (Para.)
STANTON—(1,700), 30c-40c-55c, 6 days. **Gross:** $7,000. (Average, $7,000.)

"SON OF KONG" (Radio)
WALNUT—(1,500), 25c-50c, 6 days. "Folies de Gambol" on stage. **Gross:** $5,000. (Average, $5,000.)

"Harum" Is $5,000 Indianapolis Wow

INDIANAPOLIS, March 21.—"David Harum" stirred up the principal box-office excitement here last week by going 100 per cent over normal to $5,000 at the Apollo.

"Nana" was no sensation. It took an average $4,500 at the Palace. "Mandalay" was also par with $3,500 at the Circle, and a dual, "Meanest Gal in Town" and "Ninth Guest," was good for $4,000 at the Indiana.

Total first run business was $22,500. Average is $16,500.

Estimated takings for the week ending March 17:

"DAVID HARUM" (Fox)
APOLLO—(1,100), 20c-40c, 2nd week, 7 days. **Gross:** $5,000. (Average, $2,500)

"MANDALAY" (Warners)
CIRCLE—(2,800), 20c-40c, 7 days. **Gross:** $3,500. (Average, $3,500)

"MEANEST GAL IN TOWN" (Radio)
"NINTH GUEST" (Col.)
INDIANA—(3,000), 20c-10c, 7 days. **Gross:** $4,000.

"EVER SINCE EVE" (Fox)
LYRIC—(2,000), 20c-40c, 7 days. Stage show. **Gross:** $5,500. (Average, $6,000)

"NANA" (U. A.)
PALACE—(3,000), 25c-40c, 7 days. **Gross:** $4,500. (Average, $4,500)

Hearst Paper in Chicago Tries New Type Reviews

(*Continued from page 1*)

pleased, when he discovered on his return from a Florida vacation that the *American* had decided to give his pet idea a tryout.

Whether other Hearst papers will follow remains to be seen. The Hearst morning paper, the *Herald & Examiner*, continues its critical reviews.

Jess Krueger is handling the paper's film news and serving as its first film "reporter."

In discussing the straight reporting style for reviews Hollander says: "Newspapers and exhibitors alike undoubtedly realize that most pictures do not merit criticism because they are made primarily for popular rather than critical consumption. On this basis practically every picture is satisfactory entertainment for at least 60 per cent of the general film audience.

"It should be remembered that people in general attend pictures for entertainment and relaxation and not to think seriously, for a theatre is neither lecture hall, public forum, or a church—just a place of entertainment.

There is plenty of latitude for the writer to express his individual style in the straight reporting method of writing about pictures, Hollander believes. Also, he contends, big and outstanding attractions do not suffer under this system because, like the spectacular fire or the big news story, they command treatment in proportion.

On the theory that film reviewers are subject to the same human frailities of personal likes, dislikes and prejudices as everyone else, Hollander concludes that the reporting style will tend to remove the human equation and eliminate a lot of personal pettiness which pops into reviews and has a harmful effect.

Speculate on Divorces

HOLLYWOOD, March 21.—The film colony today was speculating whether any of its members recently divorced in Mexico are victims of the fraudulent divorce mill unearthed in the State of Morelos Tuesday.

Goldwyn Signs Aarons

HOLLYWOOD, March 21.—A. A. Aarons, former member of the theatrical producing firm of Aarons and Freedley, has been signed to Samuel Goldwyn's production staff.

Otterson West Today

John E. Otterson, president of Electrical Research Products, Inc., leaves for a two weeks' visit in Hollywood today.

Levy Holding Meet

HOLLYWOOD, March 21.—Jules Levy today started a three-day sales conference with all RKO West Coast territory salesman on new product.

Swerling Signed

HOLLYWOOD, March 21.—Columbia has taken up the option of Jo Swerling, staff writer.

Lilyan Tashman



Prominent leading woman who died in New York yesterday.

Lilyan Tashman Dies In a Hospital Here

(*Continued from page 1*)

these visits she was seen by Rudolph Kirchner, an artist, who hired her as a model. This led to her first stage chance in Ziegfeld's Follies. Later she appeared in "The Garden of Weeds" and "Gold Diggers."

Her screen career began while she was on a visit to the coast with her sister. James Cruze was casting for "The Garden of Weeds" and offered her a part. Better roles followed. While working on "Port of Call" for Fox she married Edmund Lowe.

Later Miss Tashman appeared in "Camille" with Norma Talmadge; "The Prince of Headwaiters" with Lewis Stone, "A Texas Steer" with Will Rogers, "The Trial of Mary Dugan," "Bulldog Drummond" and "Putting on the Ritz" and others.

Her two latest efforts were "Wine, Women and Song," now current at the Mayfair, and "Frankie and Johnnie," recently completed at Biograph.

A. J. Gurtenbach, managing director of the Doctors' Hospital, was requested by Edmund Lowe to issue the statement that Miss Tashman had been under constant medical supervision during the filming of her last picture and that on the day after the completion of her work she was taken to the hospital where an emergency operation was performed.

No arrangements have been made as yet for the funeral.

HOLLYWOOD, March 21.—Lilyan Tashman's death came as a shock to Hollywood today. She was one of the best known members of the film colony and prominent in Hollywood social life.

Services for Mrs. Doran

HOLLYWOOD, March 21.—Funeral services were held today for Mrs. D. A. Doran, wife of the former story editor of Fox who is now associated with the Group Theatre in New York.

Mrs. Doran died Saturday after a year's illness.

The Pay-Off

(*Continued from page 2*)

because energy is soon expended or diverted to new issues. On improvement in picture quality, he maintains a re-education of the public is necessary before any headway may be noted.

Continues this commentator:

"There is no last word on this subject, delicate and controversial to the extreme. The problem of what constitutes art hasn't been solved by the philosophers as yet. The cinema is too young to have set ways in technique and procedure. There only is the fervent hope that ultimately, the percentage of worthwhile photoplays will cut into the percentage of 'program pictures.'"

KANN

LaGuardia at ITOA Installation Dinner

Mayor Fiorello LaGuardia last night pledged his support and cooperation to local theatre owners in eliminating certain hardshsips, at the I. T. O. A. Installation Dinner at the Astor. He said that he wanted to make theatres safe and that he would do all in his power to abolish the alleged graft of fire inspectors. The Mayor requested that theatre owners give not so much as a "Cremo cigar" to any inspector checking a house, and that if any assistance is needed he would gladly give it, since he wanted his office to be continually open to theatre owners, especially if they desired him to act as a mediator in settling disputes. LaGuardia also said that he was going to recommend to the Legislature amendments to the present law which will permit children into theatres provided that certain sections are allocated to them after school hours and on holidays, and that certain pictures be put on for them that do not need censorship. The Mayor said that he didn't want to be a censor, but that he did want certain films eliminated during children hours.

Milton C. Weisman was toastmaster and other speakers included Judge Franklin Taylor, Bronx Borough President John Lyons, Queens Borough President George Q. Harvey, Aldermanic President Bernard S. Deutsch and Louis Nizer, who stressed the importance of the independent exhibitor in the local field.

Coast-England Test Directed by Cukor

HOLLYWOOD, March 21.—M-G-M executed a long distance screen test of Elizabeth Allan in England last week for a role in "David Copperfield."

The script was cabled her and Cukor listened to the lines and directed retakes over a double telephone hook-up, completing a 6,000 mile connection.

Somma a Candidate

RICHMOND, March 21.—Charles A. Somma, well known in exhibitor circles, is candidate for City Council.

Lee Names Fischer

Arthur Lee yesterday appointed Abe Fischer special sales representative of Gaumont British of America.

Line Up Busy Schedule for MPTOA Meet

(*Continued from page* 1)

and the social affairs and entertainment in the evenings. The convention banquet is planned for Thursday, April 12, at the Ambassador.

Other functions will include luncheons at the studios, a barbecue and Wild West show and a studio party and dance. Many exhibitors are expected to stay over to see more of the city and to make side trips to Catalina, San Diego, Agua Caliente, Tia Juana, Yosemite National Park, Grand Canyon and San Francisco before they return home.

While the social and entertainment features that are being planned far surpass anything heretofore attempted for an exhibitor convention M.P.T.O.A. says, the committees in charge have developed tentative plans for business sessions covering a wide range of subjects.

The first day's sessions will be devoted to organization affairs, featuring the annual reports of the officers and a discussion of improved methods in theatre management, construction and equipment. Exhibitors who are just beginning to feel the upturn after four years of depression are expected to be particularly interested in learning about new ideas in theatre construction, remodeling, equipment and lighting from a disinterested expert in close touch with developments in this field.

The second day's session will be devoted to a round table discussion between production executives and exhibitors on current and future pictures, production and marketing methods. Here is where the manufacturer and the retailer are expected to come face to face, exchange views, opinions and experiences.

The third day will be devoted principally to the code and how it can be used to improve trade practices.

Final arrangements are being completed by the committees as rapidly as possible. The M.P.T.O.A. asserts each feature of the convention is being carefully planned in advance so that important business of the convention can be thoroughly considered with a minimum of time being wasted. "Every moment of those attending will be taken up with interesting features. New items are being added to the program constantly, insuring a diversified and worthwhile convention," declared the organization yesterday.

Chicago Delegates To MPTOA Selected

CHICAGO, March 21.—Appointment of members of the Exhibitors' Ass'n. of Chicago as delegates to the national convention of the M. P. T. O. A., were announced by Jack Miller today as follows: Edwin Silverman, James Coston, Walter Immerman, W. J. Mueller, Art Sass, Lester Retchin and himself.

Roxy Due Tomorrow

Roxy is scheduled to arrive in New York from London tomorrow. He is aboard the *Manhattan*.

Tentative Program as Set for M.P.T.O.A. Convention

Tentative program for the M.P.T.O.A. convention in Los Angeles next month, subject to changes as additional features are added, follows:

Monday, April 9

10:00 A. M. Registration of members, delegates and guests. Registration and information office on mezzanine, the Ambassador Hotel. No convention sessions or affairs this date, to afford arriving exhibitors an opportunity to register, get acquainted and see the city. Important that all exhibitors and guests register, receive the official convention badge, which identifies those attending the convention for admission to the studios on studio trips, admits bearer to local theatres, convention sessions, luncheons, parties and all convention affairs.

4:00 P. M. Annual meeting of the Board of Directors for the election of officers and other business. This is an executive session for directors and officers only.

Tuesday, April 10

Forenoon

10:00 A. M. Registration of members, delegates and guests.

10:30 A. M. Convention called to order by B. W. Berinstein, chairman of convention committee and president of the Independent Theatre Owners of California. Opening address by Berinstein, who will introduce E. L. Kuykendall, who will preside, and then introduce the mayor or other city official who will give the address of welcome.

Address of welcome to the city of Los Angeles by the mayor.

Response on behalf of the M. P. T. O. A. by Walter J. Vincent treasurer of the M. P. T. O. A.

Annual report of the President—E. L. Kuykendall.

Annual report of the secretary—Fred S. Meyer.

Report of the convention committee—B. N. Berinstein, chairman.

Announcement of standing committees for the convention, where and when they will meet during the convention. These will include:

Committees on:

(1) Public Relations and Community Affairs:
Chairman, Fred Wehrenberg, St. Louis

(2) Resolutions:
Chairman, Edward G. Levy, New Haven

(3) Grievances:
Chairman, Lewen Pizor, Philadelphia

(4) N. R. A. Code—Trade Practices
Chairman, Fred S. Meyer, Milwaukee

(5) N. R. A. Code—Labor Provisions:
Chairman, Jack Miller, Chicago

(6) Legislation and Taxes:
Chairman, M. A. Lightman, Memphis

(7) Credentials and Rules:
Chairman, M. E. Comerford, Scranton

"Modern Theatre Construction" by George Shutz, Quigley Publications.

12:30 P. M. Adjourn business session until 10:30 A. M. Wednesday. Luncheon.

Afternoon

2:00 P. M. Trips through the studios. Your convention badge identifies you for transportation and admission to the studios, at the time of the scheduled trip through each studio only. Our own chartered busses will leave the Ambassador promptly as announced for the studios we are to visit today.

Evening

Whatever entertainment arranged for by committee on arrangements.

Wednesday, April 11

Forenoon

10:30 A. M. Session called to order by President Kuykendall.

"The Theatre's Liability to Its Patrons," by Edward G. Levy, New Haven.

"What's the Matter with Production, from the Point of View of an Exhibitor," by a prominent exhibitor of long experience in theatre management.

"What's the Matter with Exhibition, from the Point of View of a Producer," by a representative production executive.

"Why Pictures Are Improving," by a representative from a nationally organized group interested in motion pictures.

(*Continued on page* 10)

Feed-Bag Stuff

Hollywood, March 21.—Where to eat when convention time rolls 'round. Visiting M.P.T.O.A. delegates won't go wrong by following the following:

***Best Steak*—Pacific Dining Car: Sixth and Widmer.**

***Chicken*—Ferncroft: Wilshire and Sweetzer.**

***Fish*—Bernstein's: Sixth and Broadway.**

***Ritzy Food*—Victor Hugo's: Sixth and Hill.**

***Jewish Dishes*—Katie Katz: Seventh near Spring.**

***Hungarian*—Gypsy Camp: Wilshire near Westlake.**

***Russian*—Eagle: Vine near Hollywood.**

***Italian*—Marchetti's: Wilshire near Beverly Drive.**

***All Round Good Food*—Levy's: Vine near Hollywood.**
Sardi's: Hollywood near Vine.
Brown Derby: Vine near Hollywood.

Educational Not Set On Production Plans

Educational has made no decision regarding the scene of its production activities for next season, despite reports current on the coast that a 100 per cent shift to New York was in the wind.

Andy Clyde, explained Earle W. Hammons yesterday, has three more to make for this season. The Educational president, planning a vacation for the comedian, has sounded out the latter through E. H. Allen on a plan to make one at Eastern Service Studio. This, thinks Hammons, gave rise to the reports prevalent in Hollywood.

"We are now making 50 per cent of our program in New York, but plans for next season are not set. We may make less here and more on the coast or it may be the reverse," said Hammons.

Lyons Finishes First

HOLLYWOOD, March 21.—Hal Lyons, Inc., has just completed the first of a series of 12 two-reel featurettes on lives of famous Americans. This one is on Theodore Roosevelt. Others to follow will be: Buffalo Bill, Sitting Bull, Benjamin Franklin, the Wright brothers, Mark Twain, Andrew Jackson, Ulysses S. Grant, John Paul Jones, Andrew Carnegie and P. T. Barnum.

Mrs. Roach for Council

HOLLYWOOD, March 21.—Mrs. C. H. Roach, mother of Hal Roach, has thrown her hat into the Culver City political ring by declaring herself a candidate for a place on the City Council. She declares that her platform will be for "the cleanest of clean administrations."

Kuykendall in Today

Ed Kuykendall, M.P.T.O.A. president and member of Code Authority, is due in New York this morning from Columbus, Miss., his home. His trip concerns additional plans for the convention and the meeting of Code Authority today.



- See the studios in action . . . .
- Get an eye-witness line on coming product . . . . . .
- Confer with the stars and producers who make the merchandise you sell
- Learn new ways to increase business
- Discuss the workings of the code and other vital industry problems . . .

APRIL 10 • 11 • 12 • AT THE FOURTEENTH ANNUAL

M.P.T.O.A. CONVENTION

AMBASSADOR HOTEL • LOS ANGELES

Lowest fares ever offered! Convention specials leave Chicago and New Orleans April 6. For full information and reservations write today to M.P.T.O.A. headquarters, 1600 Broadway, N.Y. C.

Council Told 75% of Films Hit the Mark

(Continued from page 1)

"primitive, vulgar influences" on the nation's youth.

Mrs. Belmont, perhaps sounding the keynote of a new reign of reason in council activities, was even moved to tender the industry her congraulations for turning out that 75 per cent of the product which "passes even our (the council's) scrutinizing eyes."

"For those pictures we congratulate the industry," she said. "We appreciate the strides it is making in artistic progress, but it is that other 25 per cent that we are after."

Mrs. Belmont assured those present that the council was not "out for censorship." "We do not believe," she said, "that censorship can bring any lasting improvement. We have the experiment of prohibition behind us to assure us that telling people what they can and cannot do is not the way to solve a social problem. Our objective will be the education of the individual to demand better things of the motion picture industry and to exercise self-control in giving patronage to present-day films."

Block Booking Unmentioned

No mention was made of block booking by any of the luncheon speakers. Mrs. Belmont, however, broached a plan of cooperation between Hollywood producers and producers of purely educational pictures, which, she said, are not successful now "because their producers lack much of the technique developed by Hollywood." With Hollywood's cooperation, she suggested, educational films could be presented in theatrical form, acceptable for child patronage but not to be shown in a theatre. School halls or civic auditoriums would be better, Mrs. Belmont believes.

She estimated that more than 28,000,000 juniors, of whom about 11,000,000 are under 14 years of age, attend film theatres weekly. She declared that parents cannot investigate every picture made in order to guide their children's attendance at theatres, and as the film industry "has assured us many times that it is not a philanthropy and that its only guide is the box-office," the council's duty is to meet the situation thus created. It proposes to do this, she said, both by education of the individual and by formation of advisory committees on production, "to consist of people who are really trained in the arts connected with the movies," in order to obtain better film fare for children.

Appeal for Funds

A plea for contributions of from $1 to $1,000 to make up a $200,000 fund for the council's activities was made by Herbert S. Houston, former publisher of *World's Work*. Pamphlets advertising the sale of Payne Fund studies on film subjects, which have been published in book form, were in evidence on all sides.

At the speakers' table, in addition to Mrs. Belmont and Houston, were Mrs. James Roosevelt, mother of the President; Rev. William P. Short, business manager of the council; Dr. Fred M. Trasher, of N. Y. U.; Dr. Cline M. Koon, of the division of radio and motion pictures, U. S Dept. of Education; Angelo Patri, educator; Dr. Frederick Peterson, neurologist; Mrs. F. Trubee Davison; Mrs. Daniel Guggenheim; Mrs. Nicholas F. Brady; Mrs. William Barclay Parsons and John H. Finley, editor of the N. Y. *Times*.

"The M. P. Research Council is neither for nor against the motion picture industry," Finley said in a brief address. "It is independent and its interests are those of the public and the world."

Tentative Program as Set for M.P.T.O.A. Convention

(Continued from page 8)

"How Pictures Are Put Together," by a prominent production executive.
"Self Regulation in Advertising Motion Pictures." Speaker not as yet designated.
Open Forum on production, distribution and exhibition.

1:00 P. M. Adjourn until 10:30 Thursday.
Luncheon.

Afternoon

2:30 P. M. Trips through the studios. Busses will leave on schedule.

Evening

Entertainment or studios parties as arranged by local committees.

Thursday, April 12

Forenoon

10:30 A. M. Session called to order by President Kuykendall.
"What the Code Means to the Country Town Exhibitor," by a small town exhibitor.
"What the Code Means to the Metropolitan Exhibitor," by a representative unaffiliated exhibitor from a large city.
Open Forum on Code Matters Relating to Trade Practices—Ed Kuykendall presiding. Cut rate competition, zoning and clearance, premiums, overbuying, rejection privileges, double features, etc., will be discussed from the floor.
Open Forum on Labor Matters—Jack Miller presiding. Two operators in the booth, minimum wage scales, maximum hours and conditions of employment, racketeering and intimidation by labor organizers, etc., will be discussed.
Report of resolution committee.
Report of resolutions committee.
Installation of officers for the coming year.
Business sessions adjourn sine die.

Afternoon

2:00 P. M. Final trips through the studios. Busses leave on schedule.

Evening

7:30 P. M. Convention banquet at the Ambassador.
Distinguished speakers of national prominence.
Unusual entertainment features.
Motion picture stars and personalities as guests.

"Harum" Sweetens B.O.

CINCINNATI, March 21.—"David Harum" did an outstanding box-office job at the RKO Palace when it piled up an estimated gross of $13,200. This tops some of the vaudefilm weeks before the house switched policies recently. The picture moves to the RKO Capitol for the second stanza, where present indications point to a take of around $7,000. Local angle is being played up in the advertising on account of Evelyn Venable, a native daughter.

ST. LOUIS, March 21.—In the first three days of "David Harum" at the Fox, F. & M. took in over $10,000 and expect to hold the picture for 16 days, the length of the run on "It Happened One Night."

Spokane "Nana" Ban Stirs Hamrick's Ire

SEATTLE, March 21—John Hamrick, owner of the Music Box here, has taken up the fight for "Nana," in its run-in with the Spokane censor board, which has barred the film on the ground it contains too much sex, the exhibitor reveals in a telegram to E. W. Jorgenson, editor of the *Spokane Press*.

"I believe," declares Hamrick, "the public want 'Nana' and no censor board should deprive them of the privilege of seeing the picture."

Banning of "Nana" in Spokane will be contested in city courts there by Washington representatives of the distributor, James Mulvey, sales representative for Samuel Goldwyn, said yesterday. No action on the ban will be taken by the New York office, he said.

Pick Fazenda's First

HOLLYWOOD, March 21.—Louise Fazenda's first assignment under her new M-G-M contract will be "Comin' Round the Mountain," in which she will be co-starred with May Robson. "Comin' Round the Mountain" was previously slated for Marie Dressler and Polly Moran and then for Miss Dressler and May Robson, but the present uncertain health of Miss Dressler necessitated the switch.

Chicago Tips Good $18,000 To "Palooka"

CHICAGO, March 21.—Probably the best indication of straight picture drawing power was registered at the United Artists last week when "Palooka" tipped the gross at that house to $18,000. Held over for a second week, business on "Palooka" is building up rather than suffering the usual decline.

Two other spots came through with heavy takes. B. & K.'s Chicago with "The Cat and Fiddle" on the screen and Ramon Novarro in person on the stage hung up $41,000. "David Harum" was strong at McVickers at $14,000.

The RKO Palace skidded with "Success At Any Price" on the screen and Edmund Lowe on the stage. The week's take was down to $17,000. The previous week's figure was $27,000.

First run business totalled $129,500. Average is $137,000.

Estimated takings:

Week Ending March 13:

"PALOOKA" (U. A.)

UNITED ARTISTS—(1,700), 30c-40c-60c, 7 days. **Gross:** $18,000. (Average, $17,000)

Week Ending March 15:

"THE CAT AND THE FIDDLE" (M-G-M)

CHICAGO—(4,000), 35c-50c-68c, 7 days. Stage: Ramon Novarro & Co. **Gross:** $41,000. (Average, $34,600)

"BLOOD MONEY" (U. A.)

ORIENTAL—(3,940), 25c-40c, 7 days. Stage: Zelda Santley, Joe Parsons, Weist & Stanton Revue, Frank Conville, Bayes & Speck, Ted Cook band. **Gross:** $18,000. (Average, $23,000)

"SUCCESS AT ANY PRICE" (Radio)

PALACE—(2,509), 35c-50c-75c, 7 days. Stage: Edmund Lowe, Mildred Bailey, Cookie Bowers, Barto & Mann. **Gross:** $17,000. (Average, $22,000)

"THE SONG YOU GAVE ME" (Col.)

STATE-LAKE—(2,776), 20c-25c-35c, 7 days. Stage: Watson Sisters, Four O'Connors, Radio Haymakers and others. **Gross:** $14,000. (Average, $17,000)

Week Ending March 16:

"DAVID HARUM" (Fox)

McVICKERS—(2,284), 30c-40c-60c, 7 days. **Gross:** $14,000. (Average, $13,000)

"MASSACRE" (F. N.)

ROOSEVELT—(1,591), 25c-35c-50c, 7 days. **Gross:** $7,500. (Average, $11,000)

"Carolina" at Top Of Herald's Champs

"Carolina" heads the February list of *Motion Picture Herald's* box-office champions. Other leaders for the month were "Queen Christina," "Moulin Rouge," "It Happened One Night," "The Cat and the Fiddle" and "Fashions of 1934."

Gluck Ad Sales Mgr.

Morris Gluck, formerly handling non-theatrical accounts at the New York Paramount exchange, has been placed in charge of the ad sales department. Morris Volk, who has been in the booking department of the same exchange, takes over Gluck's former duties.

U. A. to Build in London

LONDON, March 21.—The London Pavilion, this city's famous music hall, will be demolished in April and on its site will be built a huge theatre by United Artists.

"Holiday" and Show Get Big Gross in L. A.

Los Angeles, March 21.—It took a combination of "Death Takes a Holiday" on the screen and a stage show by F. & M. to stir up big business here last week. The Paramount take leaped to $21,875, topping par by 3,875.

The only other two spots to do above-normal business were Grauman's Chinese with "Queen Christina" in its fifth week and the RKO with "It Happened One Night," which went to $8,700.

Total first run business was $81,646. Average is $99,950.

Estimated takings for the week ending March 14:

"QUEEN CHRISTINA" (M-G-M)
CHINESE—(2,500), 50c-$1.10, 5th week, 7 days. Sid Grauman prologue. **Gross:** $14,-00. (Average, $14,000)

"LOVE IN MOROCCO" (Gaumont-British)
FILMARTE—(800), 40c-50c, 2nd week, 7 days. **Gross:** $1,500. (Average, $2,650)

"DEVIL TIGER" (Fox)
4 STAR—(900), 35c-55c, 3rd week, 4 days. **Gross:** $1,071. (Average, $4,500)

"THE MYSTERY OF MR. X" (M-G-M)
LOEW'S STATE—(2,413), 25c-40c, 7 days. **Gross:** $8,200. (Average, $14,000)

"DEATH TAKES A HOLIDAY" (Para)
PARAMOUNT—(3,595), 25c-40c, 7 days. Stage: Jerome Mann, Al Verdi & Thelma, Petit & Douglas and the Sunkist Beauties. **Gross:** $21,875. (Average, $18,000)

"IT HAPPENED ONE NIGHT" (Col.)
RKO—(2,700), 25c-40c, 2nd week, 7 days. **Gross:** $8,700. (Average, $8,000)

"NANA" (U. A.)
UNITED ARTISTS—(2,100), 25c-40c, 2nd week, 7 days. **Gross:** $7,500. (Average, $12,-00)

"DARK HAZARD" (F. N.)
WARNER BROS. (Hollywood)—(3,000), 25c-40c, 7 days. **Gross:** $9,000. (Average, $4,000)

"DARK HAZARD" (F. N.)
WARNER BROS. (Downtown)—(3,400), 25c-40c, 7 days. **Gross:** $9,000. (Average, $2,000)

Cleveland Grosses Fall Into a Slump

Cleveland, March 21.—Business dropped here last week, with only one house, the Allen, doing anything worth talking about. The screen fare was "The Avenger" and the stage had the "Bottoms Up" revue.

"Success at Any Price" with five acts of vaudeville at the RKO Palace fell $3,000 below normal, getting only $5,000. "Journal of a Crime" took it on the chin with a sad $2,900 at Warner's Hippodrome.

Total business was $38,000. Average is $44,500.

Estimated takings for the week ending March 16:

"THE AVENGER" (Monogram)
ALLEN—(3,300), 25c-35c, 7 days. Stage: "Bottoms Up." **Gross:** $6,000. (Average, $000)

"JOURNAL OF A CRIME" (Warners)
WARNERS' HIPPODROME—(3,800), 30c-44c, 6 days. **Gross:** $2,900. (Average for days, $5,000)

"FRONTIER MARSHAL" (Fox)
"WOMAN'S MAN" (Monogram)
WARNERS' LAKE—(800), 30c-40c, 7 days. **Gross:** $2,500. Average, $2,500)

"SUCCESS AT ANY PRICE" (Radio)
RKO PALACE—(3,100), 30c-40c-60c-75c, 7 days. Stage: Five acts vaudeville headed by Clark and McCullough, also Mae Questel. **Gross:** $15,000. (Average, $18,000)

"BOLERO" (Para.)
LOEW'S STATE—(3,400), 30c-35c-44c, 7 days. **Gross:** $7,500. (Average, $10,000)

"SHE MADE HER BED" (Para.)
"CROSS COUNTRY CRUISE" (Univ.)
LOEW'S STILLMAN—(1,900), 25c-35c, 7 days. **Gross:** $4,100. (Average, $4,000)

Raising the Ante

Wilmington, March 21. — Representative George P. Elliott of this city is having an amendment prepared to the Hopkins bill creating a censor board. The Hopkins measure makes it unlawful to show films with actors or actresses who have been divorced. It has been favorably reported in the House.

The amendment would change the provision to read "who have been twice divorced."

"Harum" Gets Denver Lead With $8,000

Denver, March 21.—"David Harum" topped the town's film attractions last week by running up to $8,000 at the Denver. This was over par by $1,000.

"The Cat and the Fiddle" reached a par $10,000 at the Orpheum, with a stage show to help out.

Business elsewhere was off.

Total first run business was $27,250. Average is $27,500.

Estimated takings for the week ending March 15:

"LONG LOST FATHER" (Radio)
ALADDIN—(1,500), 25c-40c, 6 days. **Gross:** $2,750. (Average, $3,000)

"NO MORE WOMEN" (Para.)
DENHAM—(1,500), 25c-40c, 7 days. **Gross:** $3,500. (Average, $5,000)

"DAVID HARUM" (Fox)
DENVER—(2,500), 25c-35c-50c, 7 days. **Gross:** $8,000. (Average, $7,000)

"THE CAT AND THE FIDDLE" (M-G-M)
ORPHEUM—(2,600), 25c-35c-50c, 7 days. Stage show. **Gross:** $10,000. (Average, $10,-000)

"MASSACRE" (F. N.)
PARAMOUNT—(2,000), 25c-40c, 4 days to complete week. **Gross:** $1,350.

"YOU CAN'T BUY EVERYTHING" (M-G-M)
PARAMOUNT—(2,000), 25c-40c, 3 days and pulled. **Gross:** $650. (Average for week, $2,500)

Columbia Will Test New Sound Recorder

Hollywood, March 21.—According to official report from Columbia, the studio will use for the first time an attachment for sound recording devices, calculated to overcome the most serious faults of present systems.

The device is described by Columbia technicians as an electrical time-delay circuit, tuned to throw recording strings out of phase with each other whenever the recorded frequency approaches the inherent resonant characteristic of tightly stretched wire strings. This prevents clashing of the strings, or "blasting," when certain frequencies are approached.

Use of the apparatus will be inaugurated in the Grace Moore film, "One Night of Love."

Named Interstate Booker

Dallas, March 21.—Besa Short, recently publicity director for the Majestic, Interstate Circuit, has been made short subject booker for Interstate. She is the wife of Paul Short, Majestic manager.

"Harum" Tops Twin Cities; Gets $13,500

Minneapolis, March 21.—"David Harum" ran away with box-office honors on both sides of the river. It took $7,500 at the Minnesota here and $6,000 at the Paramount in St. Paul.

Olsen and Johnson and "Dark Hazard" boosted the RKO Orpheum take to $6,500 here, and both "Falooka" and "Emperor Jones" were good draws.

Total first run grosses in Minneapolis were $24,000. Average is $22,000. In St. Paul the five first runs totalled $17,600. Average is $16,000.

Estimated takings:

Minneapolis:
Week Ending March 15:

"SEARCH FOR BEAUTY" (Para.)
LYRIC—(1,238), 20c-25c, 7 days. **Gross:** $1,500. (Average, $1,500.)

"DAVID HARUM" (Fox)
MINNESOTA—(4,000), 25c-40c, 7 days. **Gross:** $7,500. (Average, $7,500.)

Week Ending March 16:

"DARK HAZARD" (F. N.)
RKO-ORPHEUM—(2,900), 20c-40c, 7 days. Olsen and Johnson, in person. **Gross:** $6,500. (Average, $5,500.)

"PALOOKA" (U. A.)
STATE—(2,300), 25c-40c, 7 days. Ted Lewis in person. **Gross:** $6,000. (Average, $5,500.)

"EMPEROR JONES" (U. A.)
WORLD — (400), 25c-75c, 7 days. 2nd week. **Gross:** $2,500. (Average, $2,000.)

St. Paul:

"DAVID HARUM" (Fox)
PARAMOUNT—(2,300), 25c-40c, 7 days. **Gross:** $6,000. (Average, $5,500.)

"MOULIN ROUGE" (U. A.)
RIVIERA—(1,200), 25c-40c, 7 days. **Gross:** $4,000. (Average, $3,500.)

"MANDALAY" (F. N.)
RKO-ORPHEUM—(2,600), 20c-40c, 7 days. **Gross:** $4,000. (Average, $4,000.)

"SEARCH FOR BEAUTY" (Para.)
TOWER—(1,000), 15c-25c, 4 days. **Gross:** $900. (Average, $800.)

"HEAT LIGHTNING" (Warners)
TOWER—(1,000), 15c-25c, 3 days. **Gross:** $700. (Average, $700.)

"COMRADES OF 1918" (German)**
WORLD—(300), 25c-75c, 7 days. **Gross:** $2,000. (Average, $1,500.)

**Presented under the auspices of the Women's International League for Peace and Freedom.

Order Mansfield Sale

Mansfield, March 21.—A court order has been issued authorizing sale of the Madison Theatre, operated by Warners under a 21-year lease, for $40,000, to satisfy a $48,000 note held by the Guardian Trust Co. of Cleveland. This order relieves the liquidators of the bank from the responsibility of running the theatre for the next 21 years.

"Christina," $7,500 Hit, Seattle Top

Seattle, March 21. — "Queen Christina" at the Fifth Avenue and the second week of "It Happened One Night" at the Liberty were the top-notch attractions here last week. The former took about $500 over the average $7,000, and the latter was good for a gross of about $5,500, against an average first week of $4,000. "Moulin Rouge" at the Music Box hit about $500 over par, and went into a second week. "It Happened One Night" continued into a third week.

Total first run business was $30,-750. Average is $31,500.

Estimated takings for the week ending March 9:

"MAN OF TWO WORLDS" (Radio)
BLUE MOUSE—(950), 25c-35c-50c, 7 dyas. **Gross:** $3,250. (Average, $4,000.)

"QUEEN CHRISTINA" (M-G-M)
FIFTH AVENUE—(2,450), 25c-40c-55c, 7 days. **Gross:** $7,500. (Average, $7,000.)

"IT HAPPENED ONE NIGHT" (Col.)
LIBERTY—(1,800), 15c-25c-35c, 7 days, 2nd week. **Gross:** $5,500. (Average, 1st week, $4,000.)

"MOULIN ROUGE" (U. A.)
MUSIC BOX—(950), 25c-35c-50c, 7 days. **Gross:** $4,500. (Average, $4,000.)

"LONG LOST FATHER" (Radio)
"DEVIL'S PLAYGROUND" (S. R.)
ORPHEUM—(2,500), 25c-35c-50c, 7 days. Stage: Wen Niles and Radio Revue. **Gross:** $5,000. (Average, $6,000.)

"NO MORE WOMEN" (Para.)
PARAMOUNT—(3,050), 20c-30c, 7 days. Vaudeville headed by Novelle Bros. Jules Buffano and Band. **Gross:** $5,000. (Average, $6,000.)

More Variety Clubs On Way, Says Harris

Hollywood, March 21.—John Harris, national president of the Variety Clubs, who is here from Pittsburgh on vacation, states that applications for clubs are in his hands from Albany and Indianapolis. Already functioning in his home town, Columbus, Cincinnati, Cleveland, Detroit, St. Louis and Kansas City with Buffalo getting set and Washington in the offing, the chain of "good fellowship" clubs is rapidly reaching into all sections of the East. Albany will be the ninth unit, Indianapolis the tenth, and Washington the eleventh.

Fulton Gets "Scandals"

Pittsburgh, March 21.—Fox has released George White's "Scandals" to the Fulton for Easter Week, opening March 29, due to the inability of the Harris Amusement Co to get the remodeled Alvin open as per schedule.

"Forgotten Men," the war picture takes its place with "Three Little Pigs" and the first Mae West film as a comeback draw. Returning to the Criterion, after a bang-up engagement months ago at the Rialto, the Cummings release clicked in big-time fashion. Its handlers did some smart work in tying in with the Hearst papers featuring war horror pictures.

Warner headquarters men are al

(From Showman's Round Table Feb. 24th)

14th Week
ON BROADWAY
AT CRITERION THEATRE
Now 7th Week in Phila.

"Forgotten Men"
NOW IN CLASS WITH
"3 LITTLE PIGS"
AND "MAE WEST"

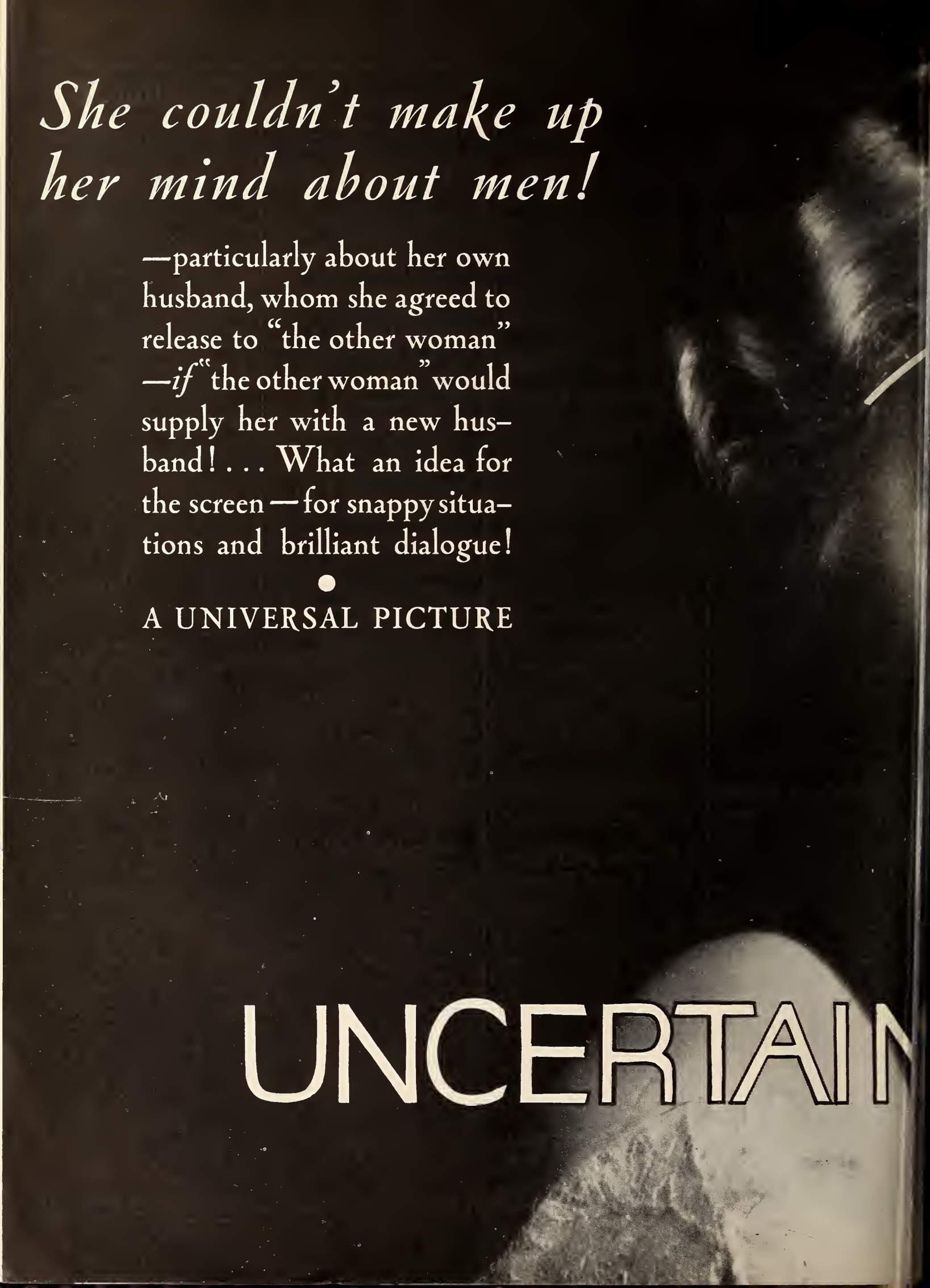
JEWEL PRODUCTIONS, INC.
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She couldn't make up her mind about men!

—particularly about her own husband, whom she agreed to release to "the other woman" —*if* "the other woman" would supply her with a new husband! . . . What an idea for the screen—for snappy situations and brilliant dialogue!

•

A UNIVERSAL PICTURE





with

EDWARD EVERETT

HORTON

GENEVIEVE

TOBIN

Renee Gadd, Paul Cavanagh, Mary Nash, George Meeker, Dorothy Peterson and many others. Produced by Carl Laemmle, Jr., from a play by Harry Segall. Directed by Karl Freund. Presented by Carl Laemmle.

LADY

Coming!

MARGARET SULLAVAN

in

LITTLE MAN WHAT NOW?

Penner, "Six Of Kind" Wow In Pittsburgh

PITTSBURGH, March 21.—The biggest thing to hit town in years was Joe Penner at the Penn last week, where the famous radio comedian, with "Six of a Kind" on the screen, rolled up $38,000. He broke the all-time attendance record by playing to nearly 100,000 customers and would have broken the money mark, $41,000, had it not been for the government tax, which was not in effect when "Caught Short" rolled up that figure.

Overflow crowds from the Penn helped business all over the downtown sector. It enabled the Stanley to do $8,000 on the second week of "Wonder Bar." The Pitt, with the Pat Rooney unit and "Sleepers East," took slightly better than an even break at $6,700. Also close to sensational was "Catherine the Great" at the Fulton, where the British hit gathered a great $7,500.

The Warner, reducing its scale from 50 to 40 cents, picked up with "Jimmy the Gent," and at $5,500 had its best week in months.

Total grosses in six first run houses were $67,800. Average is $48,000.

Estimated takings for the week ending March 17:

"LONG LOST FATHER" (Radio)
"MEANEST GAL IN TOWN" (Radio)
DAVIS—(1,700), 25c-35c, 6 days. **Gross:** $2,100. (Average, $2,500)

"CATHERINE THE GREAT" (U. A.
FULTON—(1,750), 15c-40c, 6 days. **Gross:** $7,500. (Average, $4,000)

"SIX OF A KIND" (Para.)
PENN—(3,300), 25c-75c, 6 days. Stage: Joe Penner, Jack Sidney, Birdie Dean, Three Stewart Sisters, Wilbur Hall, Annette Ames and Hal Menken. **Gross:** $38,000. (Average, $21,000)

"SLEEPERS EAST" (Fox)
PITT—(1,600), 15c-40c, 6 days. Stage: Pat Rooneys, father and son, Janet Reade, Roy Cummings, Florence Roberts, Marita and Diaz. **Gross:** $6,700. (Average, $6,500)

"WONDER BAR" (Warners)
STANLEY—(3,600), 25c-50c, 6 days. 2nd week. **Gross:** $8,000. (Average, $9,000)

"JIMMY THE GENT" (Warners)
WARNER—(2,000), 25c-40c, 6 days. **Gross:** $5,500. (Average, $5,000)

Claim New Type Short

What is claimed to be an entirely new technique in presenting opera on the screen will be released by Educational under the title "Pagliacci." It is a condensation of the opera with Henry Hull playing Canio, the clown, and was produced and directed by William C. de Mille for Audio Productions. Hull does the role in pantomime while an operatic voice sings the role.

Sol Wurtzel Arrives

Sol Wurtzel, Fox producer, arrived in town yesterday in search of story material. He will return to the coast March 30, accompanied by Hamilton MacFadden, director.

Hicks on Way

John W. Hicks, Paramount foreign department head, arrives from Europe Tuesday on the *Olympic*.

Miss Harvey Signs Anew

HOLLYWOOD, March 21.—Lillian Harvey has signed a new Fox contract calling for two pictures a year for two years.

Looking 'Em Over

"Gun Justice"

(Universal)

Ken Maynard comes through again with a bang in a western that sets a lightning pace from the moment the cowboy star makes his appearance. In "Gun Justice" he gives Tarzan as brisk a workout as the animal ever has had. The film weaves into its central tale of feud on the range one of those wholesome little romances, with Cecelia Parker on the receiving end.

When Ken's uncle is murdered, a rival ranchman tries to appropriate the old man's lands by getting the brother of a henchman to pose as Maynard, who is the inheritor jointly with Miss Parker, adopted child of the deceased, but who has been away since a child and cannot be located. One day Maynard pops up and decides to fight the uncle's enemies tooth and nail. In the end he is in possession of the ranch (his half of it, that is) and of Miss Parker, and the villains, those who have not been shot into the beyond, are in the jug.

The acting is all right and the photography worth considerable plaudits. Alan James directed.

"Bottoms Up," this morning's opener at the Radio City Music Hall, was reviewed by wire from Hollywood on March 2.

"Come On, Marines," tomorrow's opener at the Paramount, was reviewed by wire from Hollywood on March 2.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Riptide"

(M-G-M)

HOLLYWOOD, March 21.—With the ineffable charm of Norma Shearer, the magnetism of Herbert Marshall and the romance of Robert Montgomery, showmen are proffered personality appeals in "Riptide" for matinee, supper show, or top hat crowds.

Glamorous and seductive, Miss Shearer's luminous talents are given wide and varied span in portraying Mary, American girl with a past, in whom emotional cross currents lash and tear.

Briefly, "Riptide" pictures a romantic triangle with Miss Shearer, the wife; Marshall, English lord, the husband, and Montgomery, American playboy. Being a domestic drama of the sophisticated set, "Riptide," in essence, traces the corroding influence of jealousy in the life of a happily married couple. It is climaxed when an innocent affair hits the lurid front pages because of an accident to Montgomery.

From the showmanship angle, the plot reaches for feminine patrons of all ages. Revolving around London's Mayfair and the Riviera, the production is richly endowed with qualities of beauty.

Aside from story and production values, the box-office assets focus on the personalities. Miss Shearer reveals gorgeous clothes and vividly creates for feminine tears the inner tumult of the wifely target of distrust. Marshall, sterling actor, gives a sincere, well shaded performance. Montgomery makes the playboy likable and understandable. The picture was produced by Irving Thalberg. Edmund Goulding's story and direction are distinctive Shearer material.

"You're Telling Me"

(Paramount)

HOLLYWOOD, March 21.—W. C. Fields, a superb comedian, gets a real chance to strut his stuff in this, and takes full advantage by delivering all kinds, sizes and shapes of laughs.

As a nut inventor, Topper, in demonstration of his puncture proof tire he deflates the balloons on the wrong car, and, humiliated, leaves town, attempts suicide, meets Princess Lescarboura, who later okays him with the home town high-hats, maneuvers the engagement of his daughter, helps him get a million for his invention and exalts him to the post of driving the first ball at the opening golf course. It's grand idiocy.

Highlight laughs are Fields demonstrating his nose lifter-upper, his nursing bottle for twins, his squaring things with wifey by bringing home an ostrich and his lunacy at the golf tee. Fields' first starring vehicle is a comedy cream puff with Joan Marsh and Buster Crabbe fitting nicely for romance, Tammany Young is immense as a dead pan caddy and Adrienne Ames, the princess, beautiful, with others in the cast competent. Erle Kenton's direction evidences a fine comedy touch.

Spot News from Columbia



It's impossible to top what's already been said about this great hit! We can only say that it's still smashing records everywhere! CLARK GABLE and CLAUDETTE COLBERT in Frank Capra's "It Happened One Night."



Marching with thundering strides to its place beside the great achievements of the screen! Frank Borzage's finest picture, "NO GREATER GLORY," based on Ferenc Molnar's world famous novel! It will thrill the whole world with its emotional power!



Lavish sets, great cast, intriguing title, grand story! A powerfully human drama of all womankind! ELISSA LANDI in "Sisters Under The Skin," with Frank Morgan and Joseph Schildkraut. Directed by David Burton.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 35. NO. 68 NEW YORK, FRIDAY, MARCH 23, 1934 TEN CENTS

Shifts Await Code Boards In Five Cities

ommittee Meets Today To Complete Changes

Personnel setups of boards in five ies were returned to the committee on ctions yesterday following a meet- of Code Authority of the M. P. ustry. The committee will meet in today in an effort to complete rearrange the New York, Phila- hia, Minneapolis, Boston and rtland boards.

If the five cities New York remains most difficult to evolve. With ns already submitted for three sep-

(Continued on page 6)

ode for Burlesque Houses Is Approved

WASHINGTON, March 22.—Approval the code for the burlesque theatre ustry was announced today by Ad- uistrator Hugh S. Johnson. It be- es effective April 2.

Wage provisions of the code, John- said, will provide for substantial reases to employes, but the in- ase in employment is impossible estimate, because the demand for lesque varies greatly with shifting lic taste.

udies Here Given Warning on Eagles

Several independent circuits were ned by Nathan Straus, Jr., NRA npliance director here, that they be deprived of their Blue Eagles hey continue to violate maximum rking hour provisions of the code.

(Continued on page 6)

'D. A.' Upholds 'C.A.'

Decision of Code Authority that no assents properly executed can be withdrawn has been upheld by Division Administrator Sol A. Rosenblatt.

The authority ruled there was "no provision in the code granting permission to any interests which have properly executed the form of assent to withdraw same upon request."

From 20 to 30 Allied of Northwest exhibitors requested withdrawals.

Warners and Reade Reported After Fox Metropolitan Chain

Warners and Walter Reade are understood to have filed bids to take over the remnants of Fox Metropolitan Playhouses, Inc., now in the hands of Simon Fabian, as receiver, and George Skouras, as operator. There are about 79 houses in the circuit, principally in New York and Long Island.

Fabian is on record with a denial of the Reade angle. Joseph Bernhard, general manager of Warner Theatres, could not be reached for a statement last night.

Stock Values Show Drop of $17,000,000

Book values of leading film stocks decreased approximately $17,000,000 in 1933 as compared with 1932, while deficits in net earnings decreased $1,400,000, a report on corporation earnings just issued by the National City Bank discloses. The report covers only those companies which have published annual statements of earnings for 1933 up to March 1.

Amusement companies covered by

(Continued on page 6)

Nizer Puts Annual Pacts at a Million

There are 1,000,000 contracts signed every year by distributors, Louis Nizer, executive secretary of the New York Film Board of Trade, told independent exhibitors the other night. Pointing out the annual number of film shipments from exchanges, Nizer stated there were 10,000,000 deliveries.

Stressing the importance of the unaffiliated exhibitor in the local field as

(Continued on page 11)

Governor Will Make Round Table Award

DETROIT, March 22.—Governor William E. Comstock will present the *M. P. Herald* Managers' Round Table award for February to Howard Sweet, manager of the State, East Lansing, at next Monday's luncheon of the Variety Club at the Book Cadillac.

February Admission Taxes Show a Drop

WASHINGTON, March 22.—Admission tax collections during February totalled $996,861, compared with $1,089,767 in the same month last year, according to figures made public tonight by the Internal Revenue Bureau.

Revive Plan To Cut Down K. C. Houses

KANSAS CITY, March 22.—On the premise that serious overseating has brought Kansas City theatres to the present state of cut-throat competition, exhibitors are reviving a plan to take over suburban houses now dark or operating at a loss and dismantle or convert them to other uses.

Chief advocate of the project is W. H. Fulton, operator of three neighborhood theatres. He intends to present

(Continued on page 6)

Sign Men's Demands Facing Opposition

Greater New York circuits are in a tussle with Local Sign Writers' Union No. 230, which is demanding an increase from $13.20 to $14.70 and a decrease in working hours from eight to seven hours in each day of the four-day week under which its members function. The current contract to which circuits like RKO, Loew's and others are parties expires the end of this month. The circuits have turned down the proposals and are reported making arrangements to keep their lobbies going as usual in the event a strike is called.

Moss Promises Full Enforcement of Law

Declaring he will not shirk his duties as license commissioner because of his former affiliations in the business, Paul Moss states he will perform the duties of his office in accordance with the laws and does not intend to tolerate violations. He says he is still a friend of the industry and if exhibitors will cooperate with him he will coordinate the activities of his office with them.

Moss states he does not want to work hardships on theatre men, but "every theatre must be made safe."

(Continued on page 11)

KAO in Shift; Gives Circuit More Entity

Drop Proctor Houses—A Meehan Move

Keith-Albee-Orpheum Corp., a Radio-Keith-Orpheum subsidiary in which M. J. Meehan, stock broker, is reputed to hold the majority interest, tomorrow shifts its theatre divisions in a plan which provides its divisional managers are to confine themselves to KAO houses only, thereby giving the circuit a greater entity and more of an individualized operation than has prevailed to date.

The arrangement means RKO divisional managers who have been handling a mixture of KAO-controlled houses, as well as Proctor houses, will drop the latter, which remain part

(Continued on page 7)

Detroit Scale Jump Has 130 Signatures

DETROIT, March 22.—Signatures for the Allied plan to raise prices in this territory now total 130. Thirty put raises into effect last Monday without waiting for the general adoption of the plan, and during the week 25 more houses in Michigan Avenue and in the Hamtramck district raised their scales in accordance with the plan.

Another meeting is to be held tomorrow, and it is expected that the remaining eight theatres will fall in line.

New Compact Made For So. Enterprises

A new reorganization agreement for Southern Enterprises of Texas, which is operated by Karl Hoblit-

(Continued on page 11)

No Longer Apply

Chicago, March 22.—"The conditions David J. Chatkin cites no longer exist as far as Balaban & Katz are concerned," declared John Balaban today.

This was his only comment on the article published in *Motion Picture Daily* on Tuesday in which Chatkin, former operating head of the Publix circuit under Sam Katz, pilloried circuit operation by remote control from New York.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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Named to Directorate

Herbert J. Yates, Sr., president, and R. I. Poucher, W. W. Vincent, A. D. Farwell and W. P. Stevens were elected to the directorate of Consolidated Film Industries for three years at the annual stockholders' meeting yesterday. Yates' report for the past year was approved and the opinion was voiced that prospects for the coming year looked favorable.

Horne Returns Monday

Hal Horne, director of advertising and publicity for United Artists, who has been recuperating from an illness in Miami, is scheduled to return to the home office on Monday.

MOTION PICTURE ALMANAC

1934-35

NOW IN PREPARATION

WHERE THE WORLD LOOKS FOR MOTION PICTURE facts

PRICE $5.00

Insiders' Outlook

THE most innocent of stories may have a real yarn behind them these days. You can't tell. Take that KAO realignment which breezed out of the RKO office late yesterday afternoon. When J. R. McDonough has it explained for him that the purpose is unification of corporate entities in the major company, it all sounds pretty good and reasonable enough. But McDonough didn't get into the Mike Meehan hold in KAO and that's where to look for interesting developments, perhaps and maybe. The KAO string, backbone of the RKO circuit, is an extremely valuable property. Its earnings have averaged $60,000 each week in the year—depression years and better kinds—for so long RKO-ites are shocked when the profit dips lower. What's wrong with RKO theatres certainly cannot be traced to KAO. The trouble has been in the Southwest, the Middle West and other territories. . . .

▼

Interesting enough on the surface as well is the Warner bid for what's left of Fox Metropolitan. The approximate 79 houses proceeding under court control, although George Skouras operates, would constitute a sizable gulp for any major to swallow. But while you're reading, reflect for a moment on the balance of power in this, the richest territory in the country, and how the scales gently rocking now between RKO and Loew's may be tipped toward the brothers if the Warners close that deal. Joe Bernhard couldn't be tapped for a statement last night. It doesn't matter. He would have denied it as he probably will today. . . .

▼

Scramble note: Jimmy Grainger, ex-general sales manager of Fox and now general sales manager of Universal, lunching with Lou Metzger, ex-general sales manager of Universal and Columbia, at the Plaza grill yesterday with John Clark, ex-divisional manager of Paramount and now general sales manager of Fox, sitting in for a few minutes. Case of distributors selling ex-distributor, for Metzger now operates the first-run Spreckles in San Diego. . . . Cagney-Warner trouble seems to be in the air again. . . .

▼

All quiet on the Hepburn-Radio front, by the way. Morning Glory's salary is $1,500 per week. She thinks she deserves much, much more. Especially is this true after "Little Women." Radio has offered a flat $50,000 to make another picture, extra-contract. Miss Hepburn's answer was a quick exit from the country for Europe. . . . Clarence Darrow, eminent lawyer, whose retainers have been large and handsome, gets $25 a day as head of the National Recovery Board of Review. . . .

▼

The newsreel situation is very interesting and will get more so as the days get warmer, if they ever do. . . . Some of the talent contracts recently signed by Paramount would indicate star salaries are rising, not falling. . . . "What's a Hollywood scribe?" was the question. "A Hollywood scribe is a writer who takes a germ of an idea and turns it into a disease," was the reply. . . .

KANN

Warners Change Title

HOLLYWOOD, March 22.—Warners' "Rhythm in the Air" has been changed to "Twenty Million Sweethearts."

M-G-M Rises 1 on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	26¾	26¾	26¾	— ⅛	100
Consolidated Film Industries	4	4	4	— ⅛	100
Consolidated Film Industries, pfd	15¾	15½	15¾	+ ¾	100
Eastman Kodak	88½	87½	88½	+ ¾	700
Fox Film "A"	15¼	15	15¼	+ ¼	100
Loew's, Inc.	32¼	30¾	32	+ ¾	5,700
M-G-M, pfd.	24	24	24	+1	100
Paramount, cts.	5⅛	4½	5	+ ¼	4,600
Pathe Exchange	3¼	3¼	3¼	.....	900
Pathe Exchange "A"	19¼	18½	19¼	+ ½	700
RKO	3½	3¼	3½	+ ⅛	800
Warner Bros.	6⅝	6¼	6⅜	.....	3,200

Trans Lux Up ¼ on Curb

	High	Low	Close	Net Change	Sales
Sentry Safety Control	⅜	⅜	⅜	.....	100
Trans Lux	2¼	2	2¼	+ ¼	600

Warner Bonds Gain Point

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	9⅜	9	9⅜	+ ⅝	2
General Theatre Equipment 6s '40, ctf	8½	8½	8½	— ¼	2
Loew's 6s '41, ww deb rights	98¼	98	98	+ ½	3
Paramount Broadway 5½s '51	32½	32¼	32¼	—1¾	5
Paramount Publix 5½s '50	49¼	48⅜	49¼	+ ¼	36
Pathe 7s '37, ww	92	92	92	—1	16
Warner Bros. 6s '39, wd	55	53¾	55	+1	20

Purely Personal

HOWARD S. CULLMAN is sche uled to appear before a Sen sub-committee in Washington today testify on behalf of the Wagner-Le bill for employment insurance.

FELIX FEIST, BEN ROSENBE HARRY H. THOMAS, LOUIS NIZ LOUIS PHILLIPS, LEE OCHS, HAR SHIFFMAN, HARRY BRANDT, MILT C. WEISMAN, DAVID BLUM, MORT SPRING, JOE BRANDT and EDDIE A PERSON were M. P. Club luncheoni yesterday.

JOEL MCCREA and the miss FRANCES DEE, will be heard on Hollywood on the Air program o WEAF from the coast on Monday 9 P. M.

MIKE SIMMONS, former pr agent, and now writer on the co is in New York for the first t since his trek to Hollywood.

EVELYN LAYE, Gaumont-Brit star, left for London yesterday on *Berengaria* after a five weeks' va tion in America.

AL SCOTT, COLLEEN MOORE's h band, is in town.

AL JOLSON will do a version "Emperor Jones" on the air shor

BILLY WILKERSON is in town.

British Benefit Set

Plans are all set for the Met politan Opera House benefit of As ciated British Charities Sunday ni April 15. Talent lined up inclu Walter Houston, Gladys Coo Dennis King, Ruth Etting, M Brothers, Boswell Sisters, Raym Massey, Adrienne Allen, Art Tracy, Annette Hanshaw, E Boreo, Irene Taylor, the Westche Hill Billies, Chester Hale girls Lee Wiley.

Pick "Thomas Month'

First Division has decided to May "Harry Thomas Month" fo drive for new contracts and playda Fourteen offices will participate bonuses will be awarded for the showing.

Disney in Magazine

Walt Disney's "Silly Symphon in color are being used as the b of full page illustrations for child in "Good Housekeeping." The of the series, out today, is "" Grasshopper and the Ants."

Robert Harris West

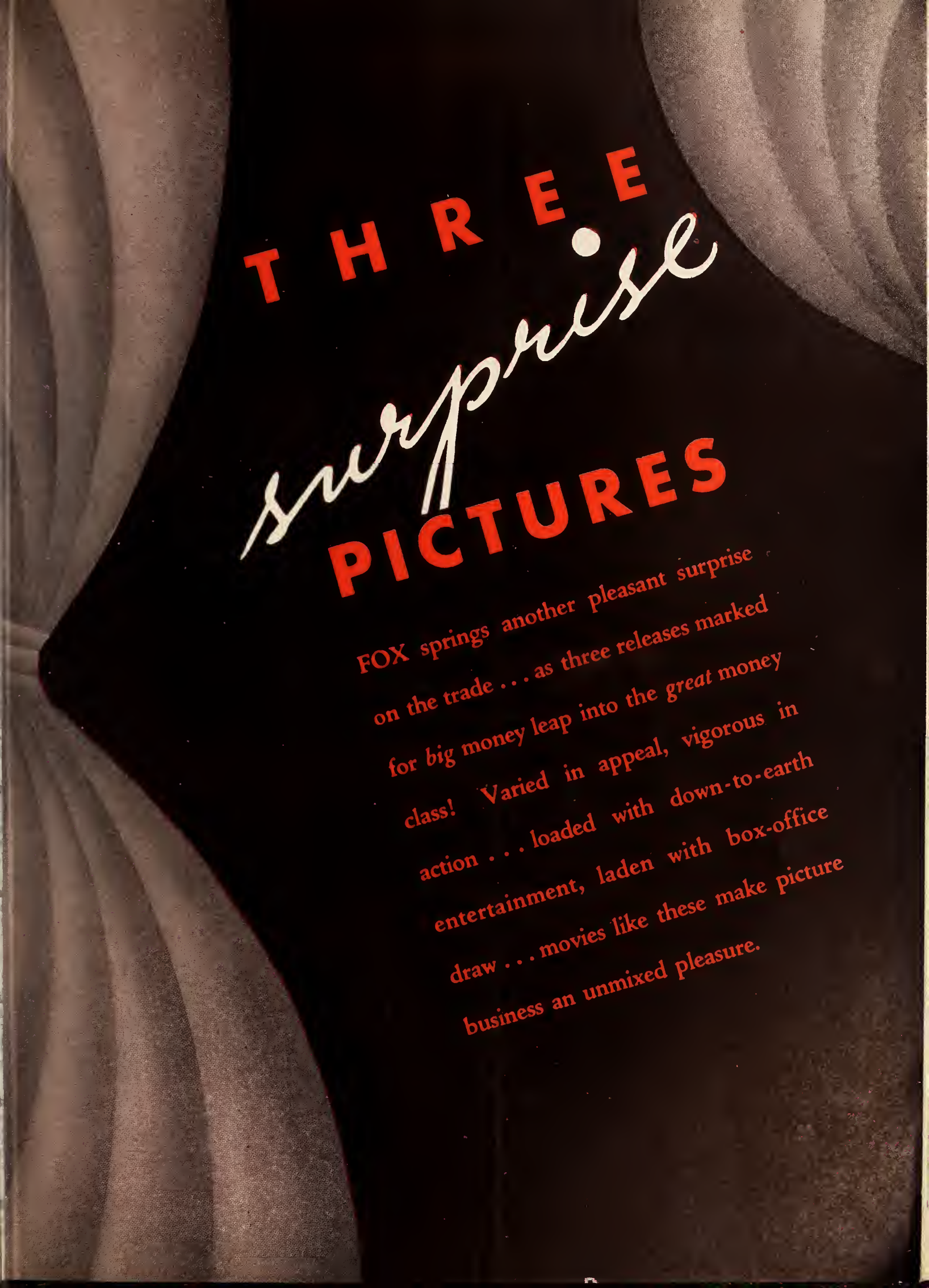
Robert Harris, Universal's eas production manager, departed for U versal City yesterday by plane manuscripts to be considered for f ing. He expects to return by Monday or Tuesday.

Pickford Tour Resumi

Mary Pickford will resume her sonal appearance tour on March 3 the Michigan Theatre in Detroit condensed version of "The Ch Mouse." On April 13 she will ap at the Earle in Philadelphia.

Maurice Ostrer a Fat

LONDON, March 22.—Maurice trer, president of Gaulmont-Britis the proud father of a son.


THREE
surprise
PICTURES
FOX springs another pleasant surprise on the trade . . . as three releases marked for *big* money leap into the *great* money class! Varied in appeal, vigorous in action . . . loaded with down-to-earth entertainment, laden with box-office draw . . . movies like these make picture business an unmixed pleasure.

Set them in for preferred playing time



• *Rafter-shaking laughter and high-tension thrills . . . when a newlywed wife who has buried her past discovers she forgot to burn those letters.*

3 ON A HONEYMOON

SALLY EILERS
ZASU PITTS
HENRIETTA CROSMAN
CHARLES STARRETT
IRENE HERVEY

From the novel "Promenade Deck" by Ishbel Ross.
Screen play: Edward T. Lowe and Raymond Van Sickle

Directed by James Tinling

• *Deserted mining towns boom again . . . beautiful chorines turn gold-diggers, the pick-and-shovel way . . . in the ruthless scramble, the frenzied gamble of the 1934 gold stampede.*

WILD GOLD

JOHN BOLES
CLAIRE TREVOR
HARRY GREEN
ROGER IMHOF
RUTH GILLETTE
MONROE OWSLEY

Story by Dudley Nichols and Lamar Trotti. Screen play: Lester Cole and Henry Johnson.

Directed by George Marshall

ADVENTURE



SUSPENSE



• *Scotland Yard follows a trail of blood into the sinister shadows of Trinidad's Caroni swamp . . . where few dare venture . . . and none return.*

MURDER IN TRINIDAD

NIGEL BRUCE
HEATHER ANGEL
VICTOR JORY

From the novel by John W. Vandercook
Screen play by Seton I. Miller

Directed by Louis King

FOX

Stock Values Show Drop of $17,000,000

(Continued from page 1)

the report had a net worth of $217,057,000 on Jan. 1, 1932, and of $200,154,000 a year later. Net worth includes the book value of outstanding preferred and common stock and surplus account at the beginning of each year.

"Drastic writing down of shareholders' equities, combined with operating deficits and the payment of dividends in excess of earnings," the report says, "has decreased the aggregate net worth of companies materially. Today the book net worth of many going companies is less than half that of the year 1929."

The amusement companies reported deficits of $2,686,000 on Jan. 1, 1932, and deficits of $1,252,000 a year later.

The report, which covers 37 different industrial groups, reveals a decided trend toward improved earnings and decreased deficits in all but six groups. Eleven groups, which showed a profit in 1932, increased their profits in 1933; 12 groups swung from deficits to profits and eight groups decreased their deficits; five showed decreased profits and one a deficit, the report reveals.

House Sets Debate On Tariff Measure

WASHINGTON, March 22.—The House of Representatives is preparing to get down to serious debate on tariff legislation with the hope of passing it along to the Senate next week.

The measure, asked for by the President in a recent message, authorized him to undertake the negotiation of reciprocal trade agreements with other governments and permits him to make changes in duties where such action is desirable to secure concessions on American products in other countries.

The legislation is of importance to the film industry, since the President, in negotiating with European countries, is expected to ask for a lowering of the barriers now erected against American pictures.

To Help Cut Extras

HOLLYWOOD, March 22.—M. H. Hoffman, B. B. Kahane, J. Buckley Russell and Allan Garcia have joined Mrs. Mabel Kinney, Larry Steers and Philip Friedman on the committee organized to work out a plan of reregistration and classification of extras in accordance with code requirements. They meet Monday night to decide the best means of cutting the present extra registration of 17,000 down to 5,000.

Ohio Managers Shifted

CANTON, O., March 22.—J. Knox Strachan, manager of Warners' Alhambra, has been transferred to Portsmouth as manager of the LeRoy and Columbia. Wallace Elliott comes here from Sandusky to succeed him. Dick Cruciger succeeds Elliott at the Ohio in Sandusky.

Indies Here Given Warning on Eagles

(Continued from page 1)

The warning was issued by Straus following a meeting yesterday at the NRA Regional Labor Board at which 25 persons employed by leading independent circuits charged that they were worked from 50 to 84 hours weekly, in some instances for 14 cents an hour.

Manhattan Playhouses will lose its Blue Eagle, Straus said, unless two discharged employes are reinstated within 24 hours as directed recently by Ben Golden of the Regional Labor Board. The employes, both ushers, are alleged to have been discharged for union activities. Straus said that his department would send its own investigators into independent circuits throughout the city to make a careful check of their own on prevailing hours and wages in individual houses.

Ben Bartlett, director of the N. Y. State Labor Compliance Board, also attended yesterday's meeting.

Compliance Will Be Grievance Function

At the request of the NRA, Code Authority is taking steps to take over the functions of regional compliance boards and add the work of these boards to the duties of the 31 local grievance groups. The purpose is to have the industry work out its own problems and create a better understanding among conflicting interests.

Nathan Yamins, J. Robert Rubin and Leslie E. Thompson have been named to a committee to compile a manual on instructions on this subject.

Mason Refuses Post With Chicago Board

CHICAGO, March 22.—Lowell B. Mason resigned today as impartial member of the Chicago grievance board. His resignation was announced in a telegram to Jack Miller, head of the Exhibitors' Ass'n. of Chicago. His appointment as general counsel of the National Recovery Review Board was given as the reason for his action.

Fire Rules Adopted

Rules governing exchanges on fire ordinances, as outlined by the National Fire Protective Ass'n, have been adopted by Code Authority and details will be sent to all branch offices shortly. The rules were prepared by a committee comprising W. Ray Johnston, George J. Schaefer and Felix F. Feist with the assistance of Arthur W. Dickinson of the Hays organization.

Expect 8,000 Assents

About 8,000 unqualified assents will be tallied after duplications are weeded out, Code Authority figures. The figure will vary from time to time because of the 45-day provision allotted to newcomers in the business.

Rosenblatt at SMPE

Division Administrator Sol A. Rosenblatt will be among the speakers at the banquet to be held in conjunction with the semi-annual meeting of the S.M.P.E. in Atlantic City, April 23-26.

Shifts Await Code Boards In Five Cities

(Continued from page 1)

arate clearance and zoning and three individual grievance boards, recommendations have been made to have one enlarged board to handle problems in the three local selling divisions. There are 43 zones to be taken care of in the Greater New York area, which, it is said, cannot be handled by a single board as provided for in the code.

Because some of the members already set on Boston boards lacked certain qualifications, shifts will be made today in the listings. In Minneapolis the two impartial men have not been named, and since unqualified assents have not been received from Fred V. Holzafel, Jack Hayward and Joseph Friedman, Allied men, replacements will have to be made. In Portland George Jackson and William Cutts, subsequent run exhibitors on the clearance and zoning board, are found to be of the same company and one will have to be replaced.

Phila. Grievance Completed

While the grievance board for Philadelphia was completed, the clearance and zoning board is still up in the air. The grievance board is as reported in MOTION PICTURE DAILY on February 9, except for the impartial member, who is Col. Harry Salter. The board chosen consists of F. L. McNamee, Radio; M. S. Landau, Universal; M. E. Comerford, Comerford circuit; Lewen Pizor, head of the M. P. T. O. of Eastern Pennsylvania, Southern New Jersey and Delaware. The grievance selections for New York are reported set, but the other board isn't.

The final makeup of these boards will be announced March 29, when Harold S. Bareford will be chairman of the meeting.

Attending yesterday's session were S. R. Kent, Charles L. O'Reilly, Ed Kuykendall, W. Ray Johnston and R. H. Cochrane. Alternates were L. F. Thompson for M. H. Aylesworth, J. Robert Rubin for Nicholas M. Schenck, Bareford for H. M. Warner, and Max L. Levenson of Boston for Nathan Yamins.

Impartial Men Not Named

Although it was expected Division Administrator Sol A. Rosenblatt would name impartial members for Minneapolis, New York and Philadelphia, no such announcement was forthcoming. It was stated no changes in the personnel of any board will be made unless members are not 100 per cent qualified. No further switches are expected following the completion of the remaining five boards, Campi stated.

No action was taken on the actor-vaudeville-labor report. The free radio shows situation remains unchanged, and the committee making a survey of the Hollywood employment status in connection with President Roosevelt's request for a 30-hour week and increased wages had nothing to report, according to Campi.

Revive Plan To Cut Down K. C. House

(Continued from page 1)

the idea to the I. T. O. and, if a proved, the cooperation of Fox Mi west will be sought.

The idea is not new. Fult originally sprang it about two yea ago and obtained the support of the i dependents' organization, of which was an official at that time. J Means, I. T. O. president, sought obtain the participation of Fox Mi west, but the circuit refused. Fult estimates that in the last two years dozen neighborhoods now operati and contributing to the present c plorable condition could have been a quired, dismantled and put out commission as theatres, or remodel and converted into storerooms. J says $5,000 would have been sufficie for the purpose, the exhibitors supp ing the funds.

There are fewer theatres n available for the project, but t situation is such that more seats add to the approximately 50 neighbo hoods in greater Kansas City wou be ruinous, and reduction of seati capacity is imperative, according Fulton. He has one house in mi which is certain to be reopened as dime show unless steps are imme ately taken to thwart it, he says.

"If the plan had gone throu originally, Kansas City exhibit would not have sunk to the pres level of double billing, 10-cent adm sions and giveaways, and would ha made more by improved busin than the whole project would ha cost," he declares.

MPTO Approves Board

WASHINGTON, March 22.—T local M. P. T. O. has notified Co Authority of its unanimous appro of the boards for this territory. T unit also expressed confidence in t authority and operation of the lo boards. Nat B. Browne, secretary the exhibitor organization, signed t letter.

NRA Board Calls Rea

Walter Reade has been requested appear before the local NRA regio labor board in connection with alleg violations of the code. Reade, w operates the Mayfair, is said to distributing two-for-one "courte passes. No date for the appearan has been arranged.

Finances Up Monday

S. R. Kent, Harold S. Barefo Charles L. O'Reilly and Nathan Y mins, the committee on financing Co Authority, will meet on Monday discuss the budget. Yamins is Pinehurst and Max Levenson of B ton was his alternate yesterday.

Two Weeks for "Riptid

After it had been viewed by M-G home office executives yesterd "Riptide" was booked for a two-we engagement at the Capitol, starti next Friday.

KAO in Shift; Gives Circuit More Entity

(*Continued from page 1*)

of RKO structure and retain through a number of new allocations already set up, only houses owned or controlled by KAO directly or through its subsidiaries, of which B. F. Keith Theatres Corp. and the Greater New York Vaudeville Theatres Corp. are the principal two.

Described on behalf of J. R. McDonough as a preconceived move, months old now, to strengthen the "corporate integrity" of the major subsidiaries which go to make up Radio-Keith-Orpheum, the understanding is Meehan has had considerable, if not all, to do with the change, which appears routine enough, but which carries implications of consequences in the future which are not apparent in surface indications.

Meehan Big Shareholder

Meehan is understood to own or control about 26,000 shares of the 60,000 shares of KAO stock outstanding and, through an association of interests, a 51 per cent interest in the company, which is RKO's principal theatre subsidiary and the backbone of its exhibition interests. His representation on the KAO board is numerically greater than that of any group, including RKO, and his voice in the conduct of the former company increasingly more important in the last year.

Actual changes in the operating setup in no wise reflect on the divisional managers, but merely fit into the plan of Meehan's to make the company more of an individual operation in the RKO scheme.

The shift and how it will work are demonstrated by the following typical changes:

The Chester, Coliseum, Franklin and Hamilton, until now handled by H. R. Emde, have been placed in C. B. McDonald's division.

Proctor's 125th St., formerly handled by L. Goldberg, has been shunted into Emde's division, which will be known hereafter as the Proctor division.

The Empire and Union, formerly Emde's, have gone over to Goldberg.

Proctor's 23rd St., once McDonald's, is now Emde's.

Schenectady and Troy, home of Proctor theatres, have been taken from Charles W. Koerner and assigned Emde, as well. Koerner will hereafter concentrate on Boston and Lowell.

Giving Emde an additional theatre not handled until now, the Rivoli at Rutherford, N. J., has been removed from James Brennan's division to further segregate KAO and Proctor houses.

How Holdings Are Constituted

The KAO holdings, complete, will break down as follows with official designations as they appear in the revised chart of the RKO theatre department:

New York Senior Metropolitan Division, C. B. McDonald, division manager: Albee, Kenmore, Madison, Prospect in Brooklyn; Keith's in Flushing; Chester, Coliseum, Colonial, Fordham, Hamilton, Jefferson, Palace, 81st St. and 86th St., in New York; Keith's in Richmond Hill and Keith's in White Plains.

New York Junior Metropolitan Division, L. Goldberg, division manager: Bushwick, Dyker, Greenpoint, Orpheum, Shore Road and Tilyou in Brooklyn; Central in Cedarhurst; Columbia and Strand in Far Rockaway; Empire, Franklin, Regent and Royal in New York; Park in Rockaway Park.

Great Lakes Division, Nat Holt, division manager (no changes)—Palace and 105th St. in Cleveland; Majestic and Palace in Columbus; and Uptown in Highland Park.

Massachuseats Division, Charles W. Koerner, division manager: Bijou, RKO Boston and RKO Keith's in Boston; Keith's in Lowell.

Detroit Pool, David Idzal, director: Downtown and Fox.

New Jersey-Washington Division, James M. Brennan, division manager: Rivoli and State in New Brunswick; Broad, Capitol, Lincoln, Palace and Trent in Trenton; Keith's in Washington.

Rochester District, J. Golden, city manager: Palace and Temple, Rochester.

Syracuse District, W. J. Tubbert, city manager: Keith's and Strand, Syracuse.

Making It Plain

S. R. Nelson, in *The Era*, London theatrical weekly, has this to say about Cab Calloway:

"He is a coagulation of alpha particles bombarding the central nucleus of the audience with an increasing stream of scat. He is a triptych in rhythm; he cannot make the slightest movement when the band is playing which is not a contrapuntal line enhancing the whole musical structure."

"Midnight" Passed After Ohio Changes

COLUMBUS, March 22.—Universal's "Midnight," which Ohio censors held up because they considered parts of the script constituted a reflection on the district attorney, and thus violated that section of the Hays code which frowns on any Government official being depicted unfavorably on the screen, has been passed after changes.

The Hays office disagreed with the censors' views, and contended that the picture was favorable rather than derogatory to the district attorney. Dr. B. O. Skinner, censor chief, recently summoned John W. Bricker, attorney general of Ohio, and Don Hoskins, county prosecutor, to view the picture and rule on his opinion. They concurred, and the action has been altered to the extent that prosecution is indefinitely indicated and the picture leaves the impression that penalty for the crime was inflicted.

Thompson to Direct

HOLLYWOOD, March 22.—Harlan Thompson, under contract to Paramount as a writer for the past six years, has been made a director. He will handle B. P. Schulberg's "Kiss and Make Up."

KAO Board Meet Off

A Keith-Albee-Orpheum directors' meeting, scheduled for yesterday, was postponed without a new meeting date being set.

Broadway Takes Light, With 4 Films Held Over

With four holdovers among Broadway houses grosses were not sensational last week. "Six of a Kind" made the best comparative showing with $48,100 at the Paramount.

"Spitfire" ended its stay at the Music Hall on the seventh day with a take of $73,000.

"Palooka" held up to $27,000 in its second week at the Rivoli; "Queen Christina" fell off to $28,500 in its second stanza at the Capitol; "It Happened One Night" was good for $14,500; also in its second stanza, at the Palace, and "Wonder Bar" had a strong second week with $31,004 at the Strand.

Estimated takings:

Week Ending March 12:

"PALOOKA" (U.A.)

RIVOLI—(2,200), 35c-99c, 2nd week, 7 days. **Gross:** $27,000.

Week Ending March 13:

"HEAT LIGHTNING" (Warners)

RIALTO—(2,300), 25c-65c, 7 days. **Gross:** $9,500.

"SPITFIRE" (Radio)

RKO MUSIC HALL—(5,945), 35c-$1.65, 7 days. Stage show. **Gross:** $73,000.

"QUEEN CHRISTINA" (M-G-M)

CAPITOL—(4,700), 35c-$1.65, 2nd week, 7 days. Stage show. **Gross:** $28,500.

"IT HAPPENED ONE NIGHT" (Col.)

PALACE—(2,500), 25c-75c, 2nd week, 7 days. Stage show. **Gross:** $14,500.

"SIX OF A KIND" (Para.)

PARAMOUNT—(3,700), 35c-99c, 7 days. Stage show. **Gross:** $48,100.

"MIDNIGHT" (Univ.)

ROXY—(6,200), 25c-65c, 7 days. Stage show. **Gross:** $15,570.

"WONDER BAR" (F.N.)

STRAND—(2,000), 25c-$1.10, 2nd week, 7 days. **Gross:** $31,004.

Week Ending March 16:

"FASHIONS OF 1934" (Warners)—4 days
"LET'S FALL IN LOVE" (Col.)—3 days

RKO CENTER—(3,700), 25c-55c, 7 days. **Gross:** $4,800.

Week Ending March 19:

"THE QUITTER" (First Division)

MAYFAIR—(2,300), 35c-85c, 7 days. **Gross:** $6,500.

Demand New Deal

HOLLYWOOD, March 22.—Seeking more authority for the responsibility invested in their jobs, the assistant directors' branch of the Academy will meet the producers' branch next week to urge why they should be forced to clear issues through numerous departments before any action can be taken.

Goldwyn Gets Kiam

HOLLYWOOD, March 22.—Samuel Goldwyn is bringing Omar Kiam, dress manufacturer and designer of the costumes of Broadway shows, here to design styles for all his future productions.

Meets on Feting MPTOA

HOLLYWOOD, March 22.—The I. M. P. P. A. met last night to make final preparations for entertaining the delegates to the M. P. T. O. A. convention.

McGuire on Long Term

HOLLYWOOD, March 22.—William Anthony McGuire has signed a five-year contract with Universal to write, direct and produce.

New Post for Butcher

HOLLYWOOD, March 22.—In addition to acting as production manager at Fox, E. W. Butcher will be made an associate producer. His first picture will feature Stepin Fetchit.

"I Believed" With Downey Detroit High

DETROIT, March 22.—"I Believed in You," playing the Fox with Morton Downey heading the stage show, was the only picture to go over par last week. It netted $18,300, $3,000 up for this house. "Queen Christina," in its second week at the United Artists, almost hit the $10,000 average of that house, getting $9,400. Others just fair.

Total for the week was $60,100 against $73,000 the previous seven days and an average of $75,000.

Estimated takings for the week ending March 15:

"DEVIL TIGER" (Fox)

DOWNTOWN—(2,750), 15c-40c, 7 days. **Gross:** $6,100. (Average, $10,000.)

"MANDALAY" (Warners)

FISHER—(2,975), 15c-40c, 7 days. **Gross:** $5,000. (Average, $10,000.)

"I BELIEVED IN YOU" (Fox)

FOX—(5,100), 15c-50c, 7 days. Stage: Morton Downey, Frank & Milt Britton Band, Walter Powell and Tito. **Gross:** $18,300. (Average, $15,000.)

"BOLERO" (Para.)

MICHIGAN—(4,100), 15c-50c, 7 days. Stage: Johnny Perkins, Jerry and Her Baby Grands, 12 Aristocrats. **Gross:** $14,500. (Average, $20,000.)

"QUEEN CHRISTINA" (M-G-M)

UNITED ARTISTS—(2,070), 25c-50c, 7 days, 2nd week. **Gross:** $9,400. (Average, $10,000.)

"LOVE BIRDS" (Univ.)
"ADVICE TO THE LOVELORN" (U. A.)

STATE—(3,000), 15c-40c, 7 days. **Gross:** $6,200. (Average, $10,000.)

Guy Matthews Is Head of Ore. Allied

PORTLAND, March 22.—Guy Matthews, The Dalles, was elected president; George Applebs, vice-president, and William Cutts, secretary, at the statewide annual meeting of Oregon Allied today. Steve Parker, Portland; Guy Garrison, St. Helens; M. Mattacheck, McMinnville, and Oscar Phelps, Hillsboro, were elected to the board of directors.

To Rehire on New Basis

HOLLYWOOD, March 22.—The Educational publicity department and other studio operative employes who go off the payroll April 1 will be rehired on a picture-to-picture basis, if and when production is resumed. Reports here are still persistent that Educational will concentrate its production in the East in the future.

Tashman Services Today

Private funeral services for Lilyan Tashman will be held today at the Universal Funeral Chapel at 2 P. M. Services will be conducted by Dr. Samuel H. Goldenson, of Temple Emanu-El, and burial will be in Washington Cemetery, Brooklyn.

Opens on Coast April 3

HOLLYWOOD, March 22.—The "House of Rothschild" will have its premiere here April 3 at Grauman's Chinese.

Berinstein Reopening

HOLLYWOOD, March 22.—Ben H. Berinstein will reopen his Sunbeam at Compton, destroyed by the earthquake last March.

PREVIEW OF



Robert Montgomery

RIPTIDE

with Herbert MARSHALL • Mrs. Patrick CAMPBELL

An M-G-M Picture . . . *Written and Directed by Edmund Goulding*

By wire from California! Put a flash Preview poster in your lobby today!

Variety says: "Irving Thalberg puts over smash hit in his comeback production. A superb picture from every angle for Norma Shearer. It is a triumph of the first water in emotional requirements and in physical charm. Placing Herbert Marshall opposite as a jealous husband was inspired. Robert Montgomery completes trio—giving no less an account of his intelligent and ingratiating qualities as the incorrigible playboy who intrudes on the wedded life of Shearer and Marshall. Edmund Goulding having written and directed the piece earns double ration of praise.

Hollywood Reporter says: "'Riptide,' Thalberg's first since his return, a hit. A distinct innovation which marks Norma Shearer's return after long absence, during which lady seems to have added even more to her physical and histrionic charms. With the flawless performances of Herbert Marshall and Robert Montgomery added to the vivid and impressive moods as portrayed by its star, Norma Shearer, with its great appeal for any type of audience, particularly the feminine contingent and the penetrating guidance of Edmund Goulding, 'Riptide' stands to make its producers and exhibitors a barrel of money."

M-G-M's "RIPTIDE"

A FEW OF THE RAVES SENT BY THE PRESS ALL OVER AMERICA TO HERALD THE BIGGEST BOX-OFFICE ATTRACTION OF OUR TIME!

Harrison Carroll, dramatic editor, L. A. Herald Express and King Features Syndicate writer says: "Norma Shearer more brilliant than ever."

Mayme Ober Peake, Boston Globe, says: "It is a profoundly moving picture. Great triumph for Norma Shearer and remarkable cast."

Rob Wagner, Saturday Evening Post contributor, former critic Liberty Magazine, editor Beverly Hills Script, says: "Irving Thalberg production 'Riptide' is one of the handsomest productions of the season. Norma Shearer, Robert Montgomery, Herbert Marshall turn in performances that should be tonic to any theatre."

Ted Smits, International News Service, says: "Beautifully conceived and directed. Norma Shearer gives most charming performance."

Ivan St. Johns, Photoplay Magazine, says: "One of Norma Shearer's greatest performances. It is great entertainment for men and women."

John Mitchell, Tower Publications, says: " 'Riptide' will appeal to intelligent audiences everywhere. Irving Thalberg continues to set the pace for fine pictures."

Doug Churchill, New York Times, says: " 'Riptide' will be most welcome to all Norma Shearer fans."

Welford Beaton, Hollywood Spectator, says: "Norma Shearer comes back to us in the most brilliant performance of her career."

Walter Ramsey, Modern Screen, says: "Norma Shearer in 'Riptide' will remind women of the country of 'Divorcee,' 'Free Soul,' 'Strangers May Kiss.' It is great entertainment."

Edwin Schallert, Los Angeles Times, says: " 'Riptide' will exert a great moving effect upon audiences because of the emotional performance of Norma Shearer."

Louella Parsons says: " 'Riptide' will thrill every woman. It is just the kind of picture we need to bring back S. R. O. signs. It is a magnificent triumph for Irving Thalberg, Norma Shearer and all those associated with it."

Ralph Wilk, Film Daily, says: " 'Riptide' is a red letter event for Thalberg, Shearer, Goulding and entire cast."

Elizabeth Wilson, Silver Screen, says: "This is the picture for which women have been waiting."

Ruth Waterbury, Movie Mirror, says: "Shearer and Montgomery make the screen's most satisfactory co-stars. Their scenes in 'Riptide' are compounded of that gay romance which spells box-office the world over."

Alice Tildsley, Philadelphia Public Ledger, says: "One of the best performances Norma Shearer has ever given and one of the best ever given by anyone."

Jimmy Fiddler, Screenland, says: "Always a Norma Shearer fan and even more so after seeing 'Riptide.' She is a great artist and it is a great picture."

Telegraph wires are sizzling with "Riptide" adjectives!
Greatest nationwide advance ballyhoo in history!

"Harum" Gets Big $6,800, Kansas City

KANSAS CITY, March 22.—The week brought forth two sensations. The first, "David Harum," gave the Fox Uptown $6,800 in seven days, against a normal $3,000 for the suburban first run. The second was "Elysia, the Valley of the Nude," which did near capacity business all week at the 810-seat Royal at 25 cents and skyrocketed the take to $6,500. The Royal has been averaging about $2,500. Both films were held.

"Six of a Kind" and "Madame Spy" garnered a strong $7,500 at the Publix Newman, which was helped by a one-night personal appearance of Lanny Ross. "Nana," a Loew's Midland attraction, was given an ace campaign, but costume plays being more or less poison in this town, it went only to an average $11,000. A combination bill of "Dark Hazard" with "The Student Prince" on the stage slumped to $9,000 to the Mainstreet.

Total for the week was $40,800. Average is $34,500.

Estimated takings:

Week Ending March 14:

"DAVID HARUM" (Fox)

UPTOWN — (2,000), 25c-40c, 7 days. **Gross:** $6,800. (Average, $3,000)

Week Ending March 15:

"DARK HAZARD" (F.N.)

MAINSTREET—(3,049), 25c-40c-60c, 7 days, plus Saturday midnight show. Stage: "The Student Prince," featuring George Hassell, Gertrude Lang, Hollis Davenny, Donald Green. **Gross:** $9,000. (Average for combination shows, $12,000)

"SIX OF A KIND" (Para.)
"MADAME SPY" (Univ.)

NEWMAN—(1,800), 25c, 7 days, plus Saturday midnight show. Stage: Lanny Ross personal appearance Tuesday night only. **Gross:** $7,500. (Average, $6,000.)

Week Ending March 16:

"NANA" (U.A.)

MIDLAND—(4,000), 25c, 7 days, plus Saturday midnight show. **Gross:** $11,000. (Average, $11,000)

"ELYSIA" (Master Arts)

ROYAL—(810), 25c, 7 days, plus Saturday late show. **Gross:** $6,500. (Average, $2,500.)

Dickstein Bill Is Hit by K. C. Paper

KANSAS CITY, March 22.—Actively campaigning against passage of the Dickstein bill barring foreign talent, Henry J. Haskell, editor of the *Kansas City Star*, has sent an editorial captioned "Talent Barriers" appearing in the paper's film section to all U. S. senators.

The editorial, written by John C. Moffitt, the *Star's* critic, but representing the sentiments of the paper's editorial board, attacked provisions of the bill as placing a premium on "inferior Broadway talent" against importation of players and directors from abroad. The provisions would seriously hamper the progress of the American film industry, the paper declared.

Cleveland Houses Reopen

CLEVELAND, March 22.—Reopenings in this territory include the Kinsman at Kinsman, operated by Earl J. Smith; Palace, Holgate, by Harold Rush; State, Canton, by Max Young; Barton, Barton, by George Repchack; and the Rex, Alliance, formerly called the Ideal, by W. J. Cuthbert

Variety Club Chatter

Cleveland

CLEVELAND, March 22. — P. E ESSICK and ABE KRAMER (substituting for MYER FINE) are "kings" for the Monday luncheon. They brought along with them the entire Peek-A-Boo stage show playing currently at the Allen.

CHARLES (Buddy) ROGERS was guest of honor and was made associate member.

LONG TACK SAM, head of his own juggling act in the Allen revue, doubled as guest of honor and master of ceremony, introducing the members of the cast. He told the boys that he, too, is an exhibitor. He owns a 1,500-seat house in Shanghai. Music was supplied by MYRON ROMAN, leader of the Allen orchestra. A capacity crowd attended.

New rules were voted at this meeting, covering the ladies. The club rooms, it was voted, are to be open to them every Wednesday and every Saturday from noon until closing time.

Next "kings" for the day will be NAT WOLF and SID DANNENBERG, both of the Warner circuit.

Kansas City

KANSAS CITY, March 22.—Barker HARRY TAYLOR'S lyrical ability has brought forth an official club song, in which barkers join at every meeting. Here 'tis, warbled to the tune of "I'm Looking Over a Four Leaf Clover":

We're members of the Variety
In that good old town K. C.
Work hard all week but we must have some play
So, Monday is our Variety day.
We all are barkers, which means help others
And we'll always wear a smile;
Good fellowship is our Alma Mater
And that's what makes life worth while.

Harry also is official song leader, while Barker BILL WAGNER officiates at the piano.

STANLEY (Fox Theatres) CHAMBERS has been named chairman of the publicity committee.

The barkers are still stirred by the inspirational messages brought by Chief Barker JOHN H. HARRIS and Chief Wagon Man JIM BALMER of the Big Top at the presentation of the national charter and first ritual initiation. The gala occasion rated considerable newspaper space.

The Rev. R. W. GARDNER of St Teresa's Church of the Little Flower and Rabbi GERSHON S. HADAS of Keneseth Israel-Beth Sholom synagogue were among the initiates.

Barker ERWIN DODSON shook the Rabbi's hand and said: "Father, we're glad to have you here. You must come again." However, he meant well.

Barker IRWIN DUBINSKY'S housing committee and the directors are hard at work preparing for club quarters, which, it has been definitely decided, will be in the Muehlebach Hotel.

The barkers have been giving Chief Barker FRANK HENSLER his "baptism of fire" by merciless ribbing via the telephone. The other day, one of the barkers had a girl call HENSLER and inquire about entering her prize canine in the Club's "next kennel show." Not knowing whether he was being kidded or not, HENSLER replied: "Lady, we're an organization of theatrical and film men. It's our business that has gone to the dogs, not us."

Barker RALPH C. LIBEAU brought back some pointers on club quarters which he gathered in a recent visit to the St. Louis club.

Barker LAWRENCE LEHMAN, ill in Menorah hospital, recently received a gift of flowers from the club. The barkers are glad to learn that LEHMAN is recuperating.

"One Night" Strong In Omaha, $6,750

OMAHA, March 22.—"It Happened One Night," following a string of double features at the Brandeis, had a swell nine-day run and grossed around $6,750 in the face of stiff opposition. The house is back again now to its regular Friday opening day.

"Beloved," at the Orpheum, along with Henry Santry's band, was in the money at $8,250. The second dual feature program at the Paramount. "David Harum," and "The Search for Beauty," was average at $7,500.

The World dipped under par with "Cross Country Cruise" and "Once to Every Woman."

Total first run business was $26,400. Average is $26,500.

Estimated takings:

Week Ending March 14:

"DAVID HARUM" (Fox)
"THE SEARCH FOR BEAUTY" (Para.)

PARAMOUNT—(2,900), 25c-35c-40c, 7 days. **Gross:** $7,500. Average, $7,500.

"CROSS COUNTRY CRUISE" (Univ.)
"ONCE TO EVERY WOMAN" (Col.)

WORLD—(2,200), 25c-35c, 7 days. **Gross:** $4,000. (Average, $5,000)

Week Ending March 15:

"IT HAPPENED ONE NIGHT" (Col.)

BRANDEIS—(1,100), 25c-35c, 9 days. **Gross:** $6,750. (Average, $6,000.)

"BELOVED" (Univ.)

ORPHEUM—(3,000), 25c-35c-50c, 7 days. Stage: Henry Santry & band. **Gross:** $8,250. (Average, $8,000)

"Harum" Seattle's Best Draw, $7,500

SEATTLE, March 22.—"David Harum" at the Fifth Avenue, with a take of $500 over the normal $7,000, was the best gross getter of the week. "Mystery of Mr. X" at the Paramount, with a strong vaudeville bill, was also good for par figures of $5,500 and "It Happened One Night" at the Liberty, in its third week, grossed about $500 over the average and went into a fourth week.

Total first run business was $29,500. Average is $31,500.

Estimated takings for the week ending March 17:

"I'VE GOT YOUR NUMBER" (Warners)

BLUE MOUSE—(950), 25c-35c-50c, 7 days. **Gross:** $3,500. (Average, $4,000.)

"DAVID HARUM" (Fox)

FIFTH AVENUE—(2,450), 25c-40c-55c, 7 days. **Gross:** $7,500. (Average, $7,000.)

"IT HAPPENED ONE NIGHT" (Col.)

LIBERTY—(1,800), 15c-25c-35c, 7 days, 3rd week. **Gross:** $4,500. (Average, 1st week, $4,000.)

"MOULIN ROUGE" (U.A.)

MUSIC BOX—(950), 25c-35c-50c, 7 days, 2nd week. **Gross:** $3,500. (Average, 1st week, $4,000.)

"THE MEANEST GAL IN TOWN" (Radio)

ORPHEUM—(2,500), 25c-35c-50c, 7 days. **Gross:** $5,000. (Average, $6,000.)

"THE MYSTERY OF MR. X" (M-G-M)

PARAMOUNT—(3,050), 20c-30c, 7 days. Vaudeville headed by Duci DeKerekjarto. Jules Buffano's band. **Gross:** $5,500. (Average, $6,000.)

"One Night" Garners High Frisco Gross

SAN FRANCISCO, March 22.—"It Happened One Night" was the only feature to survive a general first run slump here last week. The $11,000 gross at the Golden Gate was over normal by $1,000.

"David Harum" failed to come up to expectations at the Warfield at $18,000. Par grosses were registered by two duals, "Cradle Song" and "I Like It That Way" at the Orpheum and "The Lineup" and "Speed Wings" at the Fox, but elsewhere business was off.

Total first run business was $66,500. Average is $74,000.

Estimated takings:

Week Ending March 6:

"IT HAPPENED ONE NIGHT" (Col.)

GOLDEN GATE—(2,800), 25c-35c-40c, 7 days. Stage: vaudeville, band. **Gross:** $11,000. (Average, $10,000)

Week Ending March 7:

"CRADLE SONG" (Para.)
"I LIKE IT THAT WAY" (Univ.)

ORPHEUM—(3,000), 15c-35c-40c, 7 days. **Gross:** $8,000. (Average, $8,000.)

"SHE MADE HER BED" (Para.)
"THE BIG SHAKEDOWN" (Warners)

ST. FRANCIS—(1,400), 15c-25c-35c-40c, 7 days. **Gross:** $4,500. (Average, $8,000.)

"MOULIN ROUGE" (U. A.)

UNITED ARTISTS—(1,200), 25c-40c-50c, 7 days, 2nd week. **Gross:** $6,000. (Average, $8,000)

"DAVID HARUM" (Fox)

WARFIELD—(2,700), 25c-35c-55c-65c-90c, 7 days. Stage: band, vaudeville. **Gross:** $18,000. (Average, $19,000)

Week Ending March 8:

"THE LINEUP" (Col.)
"SPEED WINGS" (Col.)

FOX—(4,600), 10c-15c-25c-35c, 7 days. Stage: vaudeville. **Gross:** $9,000. (Average, $9,000)

"MANDALAY" (Warners)
"COMING OUT PARTY" (Fox)

PARAMOUNT—(2,670), 15c-35c-40c-65c, 7 days. **Gross:** $10,000. (Average, $12,000)

"Harum" Piles Up $7,000, Oklahoma

OKLAHOMA CITY, March 22.—"David Harum" hit some severe competition but came out away in the lead at the Midwest. The $7,000 gross topped normal by $3,000.

"Four Frightened People," with a stage show called "Goin' to Town," pulled a strong $7,500 at the Warner.

"Fashion Follies" at the Criterion died, taking only $3,600, which is $1,400 under. "Nana" at the Capitol was low. "Love Birds" and "The Crosby Case," set in at the Liberty did average business.

Total first run business was $21,900. Average is $20,000.

Estimated takings for the week ending March 17:

"FOUR FRIGHTENED PEOPLE" (Para.)

WARNER—(1,900), 10c-35c-50c-75c, 7 days. "Goin' to Town" on stage. **Gross:** $7,500. (Average, $6,500.)

"DAVID HARUM" (Fox)

MIDWEST — (1,500), 10c-26c-36c-56c, days. **Gross:** $7,000. (Average, $4,000.)

"FASHION FOLLIES" (F. N.)

CRITERION — (1,700), 10c-20c-26c-36c-41c-56c, 7 days. **Gross:** $3,600. (Average, $5,000.)

"NANA" (U. A.)

CAPITOL — (1,200), 10c-20c-26c-36c-41c, days. **Gross:** $2,000. (Average, $2,000.)

"LOVE BIRDS" (Univ.)

LIBERTY—(1,500), 10c-15c-26c-36c, 3 days. **Gross:** $900. (Average week, $2,000.)

"CROSBY CASE" (Univ.)

LIBERTY—(1,500), 10c-15c-26c-36c, 4 days. **Gross:** $900. (Average week, $2,000.)

Warners Will Lean Heavily on Novels

A large part of Warners' product for 1934-35 will be made from popular novels, said Jack L. Warner, production head, yesterday. He also said an average of 50 novels a week are read and reported on by the scenario departments.

Discussing the advantages of making films from published books, Warner said: "In addition to the actual readers of the book, there are thousands who never get around to reading a novel, but are anxious to catch up with current literature. Also, the exploitation possibilities on a film adaptation of a popular book are unlimited. We have found that publishers are more than willing to get behind the picture's ballyhoo."

"Wild Cargo" Book Strikes Novel Note

Radio's exploitation department has gone in strongly for novelty in its sales manual on Frank Buck's "Wild Cargo," produced by Van Beuren. The jacket represents a freighter carrying a cargo of wild animals with Buck at the helm. Inside is an assortment of exploitation ideas, including poster and lobby displays, advertising layouts, feature material and publicity hints. There is a liberal use of color.

The book was prepared under the direction of Barrett McCormick by a staff comprising Ralph Lund, Jack Level, Fred Schaefer and David Strumpf, who did the art work. Ed McEvoy of Van Beuren cooperated in putting out the manual.

See Hope of Action On Anti-Censor Bill

ALBANY, March 22.—Prospects of getting at least one bill aimed at abolishment of the censor board before the Legislature for action are regarded as better this year than at any time during the 13 years the board has been in existence.

Among those favoring abolition of the board were former Governor Alfred E. Smith, Chancellor Harry W. Chase of N. Y. University, Bishop Francis J. McConnell of the Methodist Episcopal Church, and Will Irwin. All, except former Governor Smith, who wrote a letter, appeared at a hearing before the Assembly Ways and Means Committee.

Bill to Levy Censor Fee Is Up in Ohio

CLEVELAND, March 22.—A bill was introduced in the state legislature yesterday providing a nickel on each linear foot or fraction thereof of film submitted for censorship. The funds received under the measure would be used for county poor relief. The bill calls for repeal of the state admission tax. It is being opposed by exhibitors here on the ground it would automatically kill all independent distribution.

Moss Promises Full Enforcement of Law

(Continued from page 1)

He declares he wants to help exhibitors with their problems, and if they are solved, so are his as far as fire regulations are concerned.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Take the Stand"

(Liberty)

HOLLYWOOD, March 22.—An entertaining melodrama-mystery story, which will keep audiences in suspense. Half of the picture deals with a columnist, having all the earmarks of Walter Winchell, whose items arouse the wrath of at least five different types of individuals who would have the "transom peeker" out of the way. The latter half pivots about the murder of Jack LaRue and the eventual solution by Russell Hopton.

Thelma Todd, as the columnist's secretary, is named Sally Oxford, which is pretty close to Ruth Cambridge, Winchell's real secretary, as far as college appellations go. There is Leslie Fenton, another columnist, who is promised LaRue's job by the publisher if he can get the scandalmonger out of the way. There is Gail Patrick, who would also like to dispose of the chatterer who has been printing insinuating remarks about her father's financial affairs. Then there is the crooner and the former bootlegger, now turned "snatcher," who also have good reasons for trying to get LaRue.

It's interesting and spell-binding. M. H. Hoffman has produced a swell little picture which if given the proper advertising and exploitation build-up looks destined to click. Phil Rosen handled the direction nicely and built up his situations for a swell finish. It is close to the end that the romance between Hopton and Miss Patrick develops. It starts when the former copper comes to the heroine's aid because her father is unjustly accused of the crime. The story is by Earl Derr Biggers.

New Compact Made For So. Enterprises

(Continued from page 1)

zelle in partnership with Paramount, was substituted yesterday for the original agreement entered into last October. Terms of the agreement are the same but Famous Theatres Corp., new Paramount subsidiary, replaces Irving Trust, receiver for Publix Enterprises, as a party to the agreement and Interstate Circuit, subsidiary of Southern Enterprises, is chartered as a Delaware instead of a Louisiana corporation in order to become a party to the new agreement.

The substituted agreement was approved by Referee Henry K. Davis. Paramount was also authorized to indemnify trustees in bankruptcy and receivers for subsidiary companies in the event they incur liability under consolidated Federal income tax returns.

Plan Virginia House

RICHMOND, March 22.—Valley Enterprise, Inc., will construct a 600-seat theatre in the rear of the George Rontopoulos building on South Main Street, Harrisonburg, Va. The structure and equipment will cost approximately $35,000.

Fined for Sunday Show

MONONGAHELA, Pa., March 22.—Bernard H. Buchheit, manager of the Bentley, has been fined $4 for a Sunday show by Mayor F. C. Stahlman. Buchheit claimed the show was for charity.

"Harum" Big in Akron

AKRON, March 22.—"David Harum" has already exceeded the take for "Little Women" at the Colonial and is expected to top the 17-day record set up by that film.

Friedlander in South

Al Friedlander of First Division is on a tour of the south and is expected to return within a week.

Indianapolis Group Starts Variety Club

INDIANAPOLIS, March 22.—Local exchange men and theatre managers have applied for a Variety Club charter from the National Variety Club.

Officers are: President, Joe Cantor, manager of the U. A. exchange; first vice-president, Kenneth Collins, Apollo manager; second vice-president, Floyd Brown, Universal manager; treasurer, Carl Niesse, manager of the Ambassador and Alamo; secretary, Earl Cunningham, manager of the Fountain Square and allied houses.

Says Music Shorts Gain

Short subjects as a definite field for musical entertainment are foreseen by Earl W. Hammons, president of Educational. He says no program "can be entirely satisfactory without some music." Two-reelers will supply the music appeal, when the popularity of musical features fades, he says.

Majestic Is About Set

Production plans of Majestic will be announced today following a four-day session of the board of directors with Herman Gluckman, president. The meetings wound up late last night.

Delay Federation Meet

No meeting of the executive committee of the Federation of the M. P. Industry will be held until after the Monogram convention, which is slated for April 4-7 in Atlantic City.

Rowley Here; Robb Due

Edward Rowley of the Robb & Rowley circuit in Texas is in New York on product deals. Harold Robb arrives today.

H. J. Yates on Coast

HOLLYWOOD, March 22.—H. J. Yates, president of Consolidated Film industries, is here from New York.

Ferguson Named for Presidency of Ampa

William (Billy) R. Ferguson was yesterday officially nominated as president of the Ampa to succeed John C. Flinn. Monroe Greenthal was named for the vice-presidency, Paul Benjamin for treasurer and Harry Blair for secretary. The board of directors nominated includes the new president, vice-president, treasurer and secretary, in addition to Flinn, Lou Goldberg, Rutgers Neilson, Marvin Kirsch and Paul Gulick. Walter Eberhardt is listed as trustee for three years. Edward McNamee, Vincent Trotta and Martin Starr are up for the auditing committee and Hal Horne is slated as national counsellor of the U. S. Chamber of Commerce.

Recommendations were made yesterday for annual awards for the best advertising copy, exploitation campaign and publicity story.

"Myrt, Marge" Big Surprise in Denver

DENVER, March 22.—The success of "Myrt and Marge," refused a first run by Harry Huffman, is becoming one of the sensations of this territory. All Denver houses running the film report a spurt in business, and at the State the film broke house records for two days, the film being held for an extra day. The opening day was good, with crowds building, and on the closing day there was a line at the box-office almost continually, often reaching a quarter of a block.

Nizer Puts Annual Pacts at a Million

(Continued from page 1)

well as nationally, he revealed that in Greater New York alone there are 46 more independent operators in the territory than last year. He declared the business is going back to "old timers" and away from "newcomers." He added that "old timers" know how to blend their programs and also know how to exploit them and that is why they have so successfully carried on through the years when the major circuits were finding it hard to hold on to their properties.

Back to RKO

HOLLYWOOD, March 22.—RKO has determined definitely to produce "The Fountain," a novel by Charles Morgan. Originally bought by Radio and then sold to M-G-M, the rights have reverted to the former.

New Record for Seattle

SEATTLE, March 22.—"It Happened One Night" has set a new record at Von Herberg's Liberty with 92,621 paid admissions during 180 performances in 29 days. The picture is being held for the fifth week.

Nolan to Coast

Joseph Nolan, recently appointed assistant to B. B. Kahane, president of RKO Studios, Inc., left for Hollywood yesterday to take up his new duties.

J. J. Parker Here

J. J. Parker, operator of the Broadway and United Artists Theatres in Portland, Ore., is in town. He traveled east via the Canal.



GEORGE WHITE'S SCANDALS

A FOX PICTURE

RUDY VALLEE • JIMMY DURANTE
ALICE FAYE • ADRIENNE AMES
GREGORY RATOFF • CLIFF EDWARDS
DIXIE DUNBAR • GERTRUDE MICHAEL
RICHARD CARLE • WARREN HYMER

and

GEORGE WHITE

Entire Production Conceived, Created and Directed by GEORGE WHITE • Musical Numbers direction of HARRY LACHMAN • Story direction by THORNTON FREELAND Music and Lyrics: RAY HENDERSON, JACK YELLEN and IRVING CAESAR • Executive Producer: ROBERT T KANE

SMASH!!!

The Spring drive is on...

In BOSTON: Out-grossing every Fox picture this season at the Metropolitan . . . almost twice as big as "Carolina" and "Mr. Skitch."

In BALTIMORE: Sensational opening at New Theatre classed with "David Harum" and "Carolina." Hold-over regarded as sure thing.

In ALBANY: Tremendous opening with patrons applauding. R-K-O Palace manager considers it "one of the biggest musical box office successes of the year."

In CINCINNATI: Opened bigger than "David Harum" which held over at the Palace. Already planning second week on basis of present tremendous business.

In NEW BEDFORD: Marvelous comment and biggest business in weeks for the State Theatre.

In CLEVELAND: Terrific opening topped "Carolina" for both gross and attendance at the Hippodrome.

In SYRACUSE: S. R. O. at Eckel opening show. Enthusiastic audience reaction indicates easy hold-over.

In NEW HAVEN: "Took the city by storm" reports manager of the Poli Palace.

In HARTFORD: Over with a bang . . . opening tops "David Harum" . . . audience applause. Looks like sure-fire S. R. O. week.



Leo MARCHES ON!

This industry long accustomed to great achievements of M-G-M will now see an even greater page in the history of this company. Sweeping everything before them come these giant attractions: NORMA SHEARER, ROBERT MONTGOMERY in "Riptide"—"TARZAN AND HIS MATE" starring Johnny Weissmuller. "VIVA VILLA!" starring WALLACE BEERY. "HOLLYWOOD PARTY" grandest of all musical comedies of the screen. CLARK GABLE in "Men in White". MARION DAVIES in "Operator 13" JOAN CRAWFORD in "Sadie McKee". And other Big Ones to follow. Leo marches on!





Beery

"VIVA VILLA!"



Tarzan and his Mate

JOHNNY WEISSMULLER



Shearer

MONTGOMERY

"RIPTIDE"



LEAD the EASTER PARADE

TO YOUR THEATRE WITH
THE PERFECT EASTER WEEK
ATTRACTION!



Book it now
at your nearest

UNITED ARTISTS EXCHANGE

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 35. NO. 69 NEW YORK, SATURDAY, MARCH 24, 1934 TEN CENTS

Studio Cuts Will Get No Federal Aid

Government's Aim Is to Increase Jobs Total

WASHINGTON, March 23.—Discussion in Philadelphia of Federal regulation of output as a result of overproduction of films will receive little sympathy in Washington at the present time.

While it is true the Government has gone in for reduction of crops in a big way, that is part of an effort to raise agricultural prices to parity with other prices. Control of oil production and proposed control of copper output are for the purpose of

(*Continued on page 3*)

Majestic Is Forming Own Producing Unit

Majestic is organizing its own producing unit and will drop all outside producers, it was stated yesterday following a series of meetings held here of directors and franchise holders of the company. Pictures yet to be completed on the current schedule and the 1934-35 schedule will be made by the new unit, which will be headed by a producer to be selected by Herman Gluckman, president.

Gluckman plans to leave for the coast shortly and will stay there for

(*Continued on page 3*)

"U" to Test Chicago Reel Decree Sunday

CHICAGO, March 23.—Exactly how far Mayor Kelly is prepared to go in backing his order banning riot scenes in newsreels will be known Monday following the showing in local theatres on Sunday of the latest Universal Newsreel release containing shots of violence during the taxi strike in New York. The Universal home office is deliberately ordering these scenes included with the intention of establishing a test case.

Busy Already

Milwaukee, March 23.—Although the M.P.T.O.A. convention in Los Angeles is still a couple of weeks off, the Wisconsin delegation to the confab already is preparing to swing the 1935 convention to Milwaukee.

Scope of NRA Review Board May Be Broad

Technicians May Figure In Independent Setup

WASHINGTON, March 23.—Possibilities that the National Recovery Review Board may build up an organization of considerable size are seen in the injection into its proceedings of technical phases which can be intelligently dealt with only by men experienced in the industry involved.

If the board determines to operate absolutely free from all existing organizations, it will call upon neither the Recovery Administration nor code authorities for information regarding technical questions.

Although nothing has been disclosed as to the questions to come before

(*Continued on page 4*)

Legitimate Ticket Control Plan Ready

WASHINGTON, March 23.—Definite recommendations for dealing with the problem of ticket scalping will be submitted by the Code Authority and the Consumers' Advisory Board of the National Recovery Administration March 28 at the hearing on modification of the legitimate code.

Proposals also will be made to ban throwaways, two-for-ones and similar methods of cutting box-office prices. Plans will be presented for expanding the power of the Code Authority to give the fullest measure of self government to the industry, probably with the creation of regional committees in Boston, Philadelphia, Chicago, Kansas City, San Francisco and Los Angeles.

Philadelphians Ask Censoring Publicity

PHILADELPHIA, March 23. — The Civil Liberties Union of Philadelphia has written to Samuel D. Schwartz, chairman of the Pennsylvania Board of Censors, demanding public statements of all censor eliminations.

The union bases its demand on the

(*Continued on page 3*)

Cincy Reports Only Six Theatre Fires

CINCINNATI, March 23. — There were only six theatre fires here in 1933, all confined to booths, resulting in an aggregate loss of $5,446.33. The largest single loss occurred at the

(*Continued on page 3*)

An Exclusive

Kansas City, March 23.—Exhibitors in Kansas City are chuckling over threats of New York attorneys to file suits against every theatre which played "Rasputin and the Empress," following the London verdict of $125,000 against M-G-M in the now celebrated libel suit. The picture was an "exclusive" here and shown only at Loew's Midland, so other exhibitors are not worrying.

Kuykendall Leaves For Three Meetings

Ed Kuykendall left New York last night to attend three state exhibitor conventions prior to his departure for the M.P.T.O.A. convention in Los Angeles, April 10-12. He will join southern conventioneers at Memphis on April 6.

DALLAS, March 23.—The Theatre Owners Protective Ass'n of Texas, an M.P.T.O. affiliate, will hold its annual convention at the Baker Hotel here March 26.

MEMPHIS, March 23.—The Tri-States organization will meet in annual convention at the Chisca Hotel here on April 1-2.

NEW ORLEANS, March 23.—Gulf States Theatre Owners Ass'n is all set for its two-day convention on April 3-4.

Steffes Says Shun Percentage Pictures

MINNEAPOLIS, March 23.—A warning to exhibitors to refrain from signing contracts for 1934-1935 with any distributor who insists on guarantees and percentages is sounded by W. A. Steffes, president of Allied of North-

(*Continued on page 3*)

Myers Terms Films "Absolute Monopoly"

WASHINGTON, March 23.—In his brief on the Patman bill to put control of the industry under the Federal Trade Commission, Abram F. Myers declares that Congress, in giving consideration to film bills, should "real-

(*Continued on page 3*)

South Carolina Seat Tax Again Advanced

COLUMBIA, S. C., March 23.—The House has advanced to third reading a bill to relieve theaters of the so-called "luxury tax" and to tax them on

(*Continued on page 3*)

Fox-Hearst Deal on Reels Up for Talks

Kent, Hatrick Discuss Future Relations

Sidney R. Kent, representing Fox, and Edgar B. Hatrick, representing William Randolph Hearst, are discussing terms and conditions on Fox Movietone News and Hearst Metrotone News, produced on both counts by the Movietonews, Inc., and expect to determine their course in the next few days. Movietonews is owned jointly by both interests.

The deliberations to date are described as routine for this time of the year. If failure to arrive at an agreeable conclusion is reached, the probability is that Hearst Metrotone News will be made on its own by separate crews throughout the world, begin-

(*Continued on page 3*)

Roxy Back, Saying U.K. Theatre Nears

Roxy returned to New York from London yesterday, a trifle wary in his statements and inclined to say nothing beyond the prediction that a theatre, bearing his name and seating 6,000, is "not so far off" for London.

Declaring he could not comment either on sites or principals, he did add two locations were under consideration. It is understood one of them is in the West End of London. In the meantime, Roxy's tour of Publix theatres starts at the Metropoli-

(*Continued on page 3*)

Rosenzweig Goes to First Division Post

Charles Rosenzweig, former general sales manager of RKO and Columbia, has joined Harry Thomas and First Division Exchanges as sales manager. First Division, which handles Monogram in this territory, operates a string of offices throughout the East.

Disney-U. A. Set

Al Lichtman and Roy Disney have closed another deal for continuation of release of 26 Disney shorts annually for the next three years. The series will consist of 13 Mickey Mouses and 13 Silly Symphonies. Disney hies back to the coast Tuesday.

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Advertising Manager

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Ampa Election Date Is Set for April 19

Annual elections of the Ampa will be held April 19. W. R. Ferguson of M-G-M has been nominated for the presidency and Monroe Greenthal of U. A. for vice-president. No opposition ticket has yet been proposed.

One of the feature attractions of the Naked Truth Dinner at the Astor on April 21 will be a fashion show put on by R. M. Macy & Co. with 40 mannequins parading in costumes which will be replicas of those worn by film stars in recent pictures.

Forty-five tables already have been sold for the dinner, Paul Benjamin, in charge of sales, stated yesterday. Reservations are being allocated as checks arrive on a "first come, first serve" basis.

Capacity of the grand ballroom of the Astor is 1,500.

Completes Squibb Film

Audio Prod. has completed work on a seven-reel industrial film for E. R. Squibb & Sons. The production, photographed at the Squibb plants and at the Eastern Service studio in Astoria, includes in its cast Fuller Mellish, C. Anthony Hughes, John Carmody and Don Gallaher.

Nathan to Argentina

John B. Nathan, former Paramount general manager in Central America and the northern republics of South America, has been made managing director in Argentina. He sails for Buenos Aires on the *Eastern Prince* today to take over the new appointment.

Looking 'Em Over

"Wild Cargo"

(Van Beuren-Radio)

Frank Buck has made a picture of real entertainment value out of his latest trek into the underbrush of Malaya. Running 96 minutes in its present form, which is somewhat longer than it should, "Wild Cargo" is interesting and well done. The editing suggested herewith merely would improve what is already very good.

Pursuing his practice of capturing alive denizens of the jungle, Buck talks as his pictures show his methods of corralling elephants, jaguars, tigers, pythons and cobras and the adventures that befell him while on the job. "Wild Cargo" struck this reviewer certainly as interesting as "Bring 'Em Back Alive," while the impression persists that this latest in the Buck series has an edge to the good on its predecessor. For one thing, Buck is shown in closer contact with the dangers of hunting down wild beasts and uncontrollable reptiles, a close shave with a python attempting to chew off his arm and a thrilling short sequence wherein the hunter personally captures another of the same species, emphasizing the point.

Thrills include a fight—a good one, although hardly new—between a python and a jaguar, and a set-to with an escaped cobra. In "Wild Cargo," Buck actually shows his ingenious methods of snaring his prey, the highlight being the capture of one of the animals from the branches of a lofty jungle tree by shooting down the limb on which the prize has temporarily housed itself.

"Wild Cargo" ought to be a money picture. It will lend itself easily to exploitation and lots of it. Moreover, what's said and done for the attraction will be supported by the picture itself. KANN

"Hold That Girl"

(Fox)

Plenty of laughs, wisecracks and human appeal in this story of a dynamic female newshound who lets nothing stand in her way to get a yarn. The girl is Claire Trevor, and with the assistance of James Dunn, a sleuth, she manages to clear many a scoop. There are a number of funny situations and the fan dance raid sequence tops them all. An audience at the Roxy yesterday was certainly amused over this team's doings. Supporting Dunn and Miss Trevor are Alan Edwards, Gertrude Michael, John Davidson, Robert McWade, Effie Ellsler and Jay Ward.

As a reporter on a tabloid sheet, Miss Trevor finds herself in many a tight spot, but manages to wheedle out of them with the assistance of Dunn and others of the cast. She almost meets her doom when she steals a ride in a car which is being used by a mobster, one of Edwards' men, to take one of the gang for a ride. She is discovered as the eye-witness and complications set in until Edwards, who has met her previously and expressed his liking for her, sacrifices his life to save her. She scores again, not only on the story, but also on Dunn, whom she marries.

Hamilton MacFadden directed from an original by Dudley Nichols and Lamar Trotti.

"Jimmy, the Gent," this morning's opener at the Strand, was reviewed by wire from Hollywood on March 2.

"Once to Every Woman," last night's preview at the Rialto, was reviewed on March 16.

Consolidated Film Up ½ on Big Board

	High	Low	Close	Net Change	Sales
Consolidated Film Industries	4½	4½	4½	+ ½	200
Consolidated Film Industries, pfd	16½	15⅝	16⅛	+ ⅜	1,200
Eastman Kodak	88	88	88	— ½	200
Fox Film "A"	15	15	15	— ¼	200
Loew's, Inc.	31⅞	31½	31¾	— ¼	1,200
M-G-M, pfd.	24⅛	24	24⅛	+ ⅛	200
Paramount, cts.	5	4⅞	4⅞	— ⅛	1,900
Pathe Exchange	3⅜	3¼	3¼	.....	200
Pathe Exchange "A"	18⅝	18⅞	18½	— ¾	600
RKO	3¼	3¼	3¼	— ¼	300
Warner Bros.	6½	6⅜	6½	.....	500

Only Two Curb Issues Listed

	High	Low	Close	Net Change	Sales
Sentry Safety Control	⅜	⅜	⅜	.....	100
Technicolor	9⅛	8½	8½	.....	200

Paramount F. L. Bonds Up One

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	93¾	93¾	93¾	+ ⅜	5
General Theatre Equipment 6s '40, ctf	8½	8½	8½	+ ⅛	1
Loew's 6s '41, ww deb rights	98	98	98	.....	8
Paramount F. L. 6s '47	49	49	49	+1	1
Paramount Publix 5½s '50	49¼	49¼	49¼	.....	8
Pathe 7s '37, ww	92	92	92	.....	1
Warner Bros. 6s '39, wd	56	55¼	55¼	— ¼	20

Purely Personal

LOU B. METZGER sailed on a two months' trip to Europe aboard the *Georgic* yesterday afternoon, so some of his friends decided to let him pay the check at the Tavern. Among those who made plenty merry were NED DEPINET, GRAD SEARS, PHIL REISMAN, CRESSON SMITH, FRED MCCONNELL, JACK CONNOLLY, TERRY RAMSAYE and RED KANN.

CLAYTON HENDRICKSON, formerly ad sales manager of the Paramount New York exchange, has been promoted to assistant to Don Velde at the home office. Velde is in charge of all ad sales.

E. H. GOLDSTEIN and FRED MCCONNELL exchanged greetings on the 17th floor of the RKO building yesterday. Both remembered the good old "U" days.

LOU WEINBERG, RUBE JACKTER and BILL JAFFE of Columbia rushing a mid-day lunch at Roth's. LOU enjoyed the fish.

RAY LONG'S and FREDERICK COLLINS' "Maxmilian and Carlotta" has been bought by WINFIELD SHEEHAN for Fox.

JACK SCHLAIFER was in Minneapolis yesterday and is due in Omaha today on a tour of U. A. branches.

GEORGE RAFT opens at the New York Paramount next Friday. Picture will be "Melody in Spring."

WALTER VINCENT will be ED KUYKENDALL'S alternate at next Thursday's meeting of Campi.

CONSTANCE CUMMINGS and her husband, BENJAMIN W. LEVY, sail today on the *Ile de France*.

PRIMO CARNERA will crowd into the Roxy tomorrow afternoon as HOWARD CULLMAN'S guest.

ROY DISNEY leaves for Hollywood Tuesday after a few weeks here on business.

SOL TITLE has joined the Save Printing Co., program printers.

MIKE MEEHAN returns from the south after Easter.

JACK SHEA'S right arm is in a ca

Grainger Leaves Sunda

James R. Grainger leaves for the coast tomorrow via Chicago and San Francisco to begin a series of production conferences on Universal's new season's product. He will be away about six weeks.

Twelve of the company's 40 for the new lineup are set, and Robert Harris, eastern production manager, took a collection of manuscripts with him when he went west by plane last week.

Frank Bruner on Leav

Frank Bruner, who has been handling publicity at the Rivoli, has been given leave of absence to act as Mary Pickford's personal representative on her engagements in Detroit and Philadelphia. Bruner's work will be absorbed by the home office staff of United Artists

To Repeat Radio "Villa"

The 20-minute radio broadcast based on "Via Villa," which Kraft cheese nationally broadcast recently will be repeated April 5.

Studio Cuts Will Get No Federal Aid

(Continued from page 1)

improving conditions in those industries, as is the regulation of timber production. All of these efforts, however, are aimed at natural resources.

In the field of manufactures, the main idea at present is to give work to a maximum number of the unemployed. That cannot be accomplished if at the same time the production of manufactures is curtailed. However, a guard against overproduction for competitive purposes has been raised through code provisions prohibiting selling at less than cost, which mean that if a manufacturer produces more than his market can absorb he alone suffers and cannot use his surplus to drive out competitors by price cutting.

While the situation in the picture industry is somewhat different from that in other lines of manufacture, the Government is more interested in putting people to work than in reducing production.

Later, when all the unemployed have been returned to industry, the Government plans to get into the field of production control, but that time is not yet.

Majestic Is Forming Own Producing Unit

(Continued from page 1)

some time to oversee production. It is planned to have a home office official always on the lot under a rotating plan which calls for a new man every six months.

"Wild Geese" is the first on the schedule for the new producing unit, the script having been submitted to Walter Huston, who may be cast in it.

Philadelphians Ask Censoring Publicity

(Continued from page 1)

fact that since the board is to function for public good and protection, the public is entitled to know the extent and nature of the protection and to judge whether the cutting is justified or not.

The letter is one of the first guns in the union's attempt to have the censor board eliminated, with the question of decency and morals in the movies adjudged by courts.

Cincy Reports Only Six Theatre Fires

(Continued from page 1)

Empire, neighborhood, where the projectors were destroyed, according to report of the Underwriters' Salvage Corps.

The total of the fire loss in the city amounted to only $602,839.

During the year the local Universal exchange was awarded the trophy for best fire prevention methods.

To Rename Va. Censors

RICHMOND, March 23.—Abram P. Staples, new attorney general, has decided to reappoint the present censor board, which includes R. C. I. Moncure, Edwin S. Reid and Mrs. John W. Chalkley.

Steffes Says Shun Percentage Pictures

(Continued from page 1)

west, in a letter addressed to independent theatre owners in Minnesota and the Dakotas.

Reminding that percentage pictures threaten to "eventually put them out of business," Steffes asserts that "the theater owners in this territory who have a substantial investment are not going to be forced, bamboozled or browbeaten into signing such ridiculous contracts and those who have signed may rest assured that their theatres are going to be checked."

"In my opinion," he adds, "this is a legitimate business and can be kept as such if the theatre owners will act like business men at the time they sign contracts and not after they have signed them. In my opinion there is no theatre in the territory that can operate legitimately, if they pay their employes what they are rightfully entitled to and pay all the other expense, on contracts calling for a 50-50 split."

Myers Terms Films "Absolute Monopoly"

(Continued from page 1)

ize that it is dealing with an absolute monopoly."

Code Authority and the grievance and zoning and clearance boards are dominated by Hays members, he says. He advances this as a reason for puting industry control in the hands of the trade body.

In discussing the 10 per cent cancellation clause he contends that it is not an out-and-out 10 per cent cancellation privilege.

Considerable space is devoted to the campaign of the M. P. Research Council and Federal M. P. Council.

South Carolina Seat Tax Again Advanced

(Continued from page 1)

the basis of their seating capacity. The vote was 76 to 7.

Under the bill, theatres would pay a tax ranging from $1 a seat in towns of 1,500 population to $2 a seat in cities of 30,000 or more. The present law imposes a tax of one cent for each ten cents or fraction of that amount charged as admission.

Proponents of the measure said it would bring in virtually the same amount as is now obtained under the admission tax. They quoted tax experts as saying it would relieve the tax commission of much investigation work. Representative Gregory, one of the authors of the bill, asserted the bill would offer needed relief to the theatres.

Warner-Reade Moves For Circuit Denied

Efforts to check yesterday with Simon Fabian, co-receiver for Fox Metropolitan Playhouses, reports that Warners and Walter Reade were after the Greater New York group of theatres were unavailing. Fabian is out of town and will not return until Monday. However, from an unofficial source, it was stated the reports are "unfounded."

Joseph Bernhard, Warner theatre head, said yesterday that the MOTION PICTURE DAILY reporter who invited him to comment on the Warner end of the story was "the first to break the news to me that we were interested in the Fox houses."

Scars Wanted

Hollywood, March 23. — M-G-M advertised in the local dailies today for men of middle age whose faces are disfigured by scars, etc., for roles in "Treasure Island." A survey of actors and extras produced only 10 such characters with the studio looking for more than 30.

Roxy Back, Saying U.K. Theatre Nears

(Continued from page 1)

tan, Boston, on Friday. Thereafter, he will play New York, Brooklyn, Buffalo, Detroit, Chicago and other cities to be blocked into a route at a later date. He added some angles of the British theatre which he more than half promised will develop while he is on the road.

Beyond that, nothing.

U. A. Men Travel

Al Lichtman leaves for Bermuda today to recuperate from an illness which has been wearing him down. He'll be gone several weeks. Arthur W. Kelly hies to the coast today enroute for Australia.

Toledo Palace Opened

TOLEDO, March 23.—The Palace, closed all winter, has been reopened.

Fox-Hearst Deal on Reels Up for Talks

(Continued from page 1)

ning with the advent of the 1934-35 season around Labor Day.

Reported tied in with the latter eventuality as an important factor is Herbert J. Yates, president of Consolidated Film Industries, Inc. He is reputed to have made an offer involving financing of Metrotone News on its own and would handle all laboratory work under the deal which he is said to have advanced.

Fox Movietone News and Hearst Metrotone News have been produced jointly since 1929.

"One Night" in 5th Week

HARTFORD, March 23.—"It Happened One Night" started its fifth week at the E. M. Loew here today, being the first film ever to have played a Connecticut theatre more than two weeks, it is said. In its first four weeks the picture played to 82,000 admissions.

D. C. Hickson to Speak

NEW ORLEANS, March 23.—D. C. Hickson, division operations manager for Erpi, will be one of the guest speakers at the Gulf State Theatre Owners Ass'n convention here April 3-4.

California . . .
He'll be there!



He may make it by the skin of his teeth, but Mr. Wise Exhibitor will be right on time for the important MPTOA get-together in Los Angeles in April. He knows he can't afford to be counted among the missing!

14th Annual Convention
M·P·T·O·A
HOTEL AMBASSADOR
Los Angeles, Calif.
April 10, 11, 12

Scope of NRA Review Board May Be Broad

(*Continued from page 1*)

it Monday at the hearing on the film industry, it is understood that some of the complaints involve practices of which the layman has no understanding, and while, of course, both sides will be presented, members of the industry are wondering how the board will know which is right unless it calls upon and accepts the views of experts in the Recovery Administration, or members of the Code Authority, or secures experts of its own.

Crowd Close to Riot At Tashman Funeral

A crowd almost caused a riot yesterday afternoon in its struggle to catch a glimpse of screen and stage celebrities at funeral services for Lilyan Tashman at the Universal Funeral Chapel, Lexington Ave. and 62nd St. Three women were hurt in the milling.

Among those who joined with Edmund Lowe, her husband, in mourning for Miss Tashman, who died in Doctors' Hospital Wednesday from a tumorous condition, were Mary Pickford, Tallulah Bankhead, Jack Benny, Fannie Brice, Eddie Cantor, Francine Larrimore, Bert Lytell, William Powell, Nita Naldi, Major Edward Bowes, Jack Pearl, Clifton Webb, George White, Cecil Beaton and Sophie Tucker. Cantor delivered the eulogy and Rabbi Samuel H. Goldenson of Temple Emanu-El officiated.

Burial was in Washington Cemetery, Brooklyn.

States "Sigmatism" Prevails on Screen

Most actors and actresses are suffering from "sigmatism," according to James F. Bender of the Public Speaking Department of the College of the City of New York. It is caused by pressing the tongue against the teeth rather than the high palate.

Frederic March and Ann Harding have the best screen voices, he says, with William Powell, John Barrymore, Warner Baxter and Lewis Stone following among the men, and Mary Astor, Myrna Loy, Jean Muir among the women. Katharine Hepburn has spoiled a good speaking voice by "her English affectations," he says.

Garbo has improved, he says, but she is still "suffering from a low-tongue position for the articulation of nine consonants." Anna Stein and Marlene Dietrich have the same fault, he states.

The remedy is a "speech dictator," he declares.

Agents' Pact Signed

HOLLYWOOD, March 23.—The new proposed agents' pact with the State Labor Commission, apparently settled day before yesterday, was brought back again today for changes in a few minor technical phrases and was finally signed. The document is now on its way to San Francisco for state approval.

Who? What? When?

Who are the latest appointees on code boards announced by Code Authority in New York?

More thumbnail sketches, gathered by MOTION PICTURE DAILY *correspondents, furnish the answer:*

Cleveland

CLEVELAND, March 23.—JOSEPH N. ACKERMAN, impartial member on clearing and zoning, has been practicing law in Cleveland for the past 20 years. Nine of those years were spent as a state senator, during which time he was always a champion of the industry. He was one of the leaders against the state "blue laws," and the passage of the Sunday show bill was largely due to his efforts. As chairman of the state legislative committee, he led the state prohibition repeal movement.

Last fall Ackerman was elected to the municipal bench for a six-year term by the largest majority ever recorded in Cleveland. He is a graduate of Columbia University.

Des Moines

DES MOINES, March 23.—CLYDE HULSIZER, impartial member on clearance and zoning, is a native Iowan, age 56. He is a graduate of Grinnell College and a resident of Des Moines since 1901. Having first come to this city as an instructor and coach in a local high school, Hulsizer later established his present business as a manufacturer and importer of art flowers and foliages in 1903. Starting modestly, Hulsizer, Inc., does a national business. He served for two years as president of the National Display Equipment Manufacturers' Ass'n. and has been rather active as a Rotarian, having served as a director on Rotary International and on several other international committees. Hulsizer lives on a dairy and hog farm just outside of the city, owns a rather good herd of dairy cattle and is interested in agricultural problems to a degree that stamps this interest as his hobby.

Washington

WASHINGTON, March 23.—EDMUND H. TOLAND, impartial member on grievances, is a graduate of Georgetown University, a former special assistant to the attorney general of the United States and is now associated in the general practice of law with William E. Leahy. He has no financial interest in the film industry.

HECTOR G. SPAULDING, impartial member on clearance and zoning, was born in North Dakota in 1879, but spent most of his boyhood in Europe. This includes one year in Breslau and eight in Paris, where his father, John H. Spaulding, was practicing dentistry. Professor Spaulding is descended from Edward Spaulding, who settled in Jamestown, Va., from England, in 1619. In Paris he attended the Lycee Janson de Sailly and received his higher education in Minneapolis, where he graduated from the University of Minnesota in 1900 with a B.S. degree. He was given a law degree at Harvard in 1903, and thereafter practiced law in New York, Minneapolis and Chicago. At present a member of the faculty of the law school of George Washington University. Professor Spaulding's law teaching experience consists of one year at Stanford University (1914-15), and at George Washington since 1920. In 1923-24 he had another year at Harvard, where he received his degree as doctor of juridical science. In 1922 he married Augusta de Laguna of Oakland Cal., and from that union there has been one son, now aged eight. Mrs. Spaulding also is a lawyer and, like her husband, tutors at law. Professor Spaulding has lectured on contracts, equity and administrative and constitutional law, but his avocation is music, piano and voice. Additionally, Professor Spaulding is a director of the Juvenile Protective Ass'n in Washington and, as such, has been active in a move to arrange appointment of a person well qualified, in his opinion, to handle juvenile court matters. He is a member of the Cosmos Club, American Law Institute, the Masonic fraternity, the American Bar Ass'n, the Acacia fraternity and the Phi Alpha Delta legal fraternity, as well.

Finnegan May Be Replaced in K. C.

KANSAS CITY, March 23.—Inquiry today by the Code Authority whether Dr. Paul Lux, local physician, would be acceptable as an impartial member of the grievance board indicates that Thomas J. Finnegan may be removed. Jay Means, I. T. O. president, and two others also received telegraphic inquiries and wired their approval.

Means, who is a member of the grievance board, feels that Lux is more acceptable than Finnegan, and has filed a mild protest with Division Administrator Rosenblatt against the latter's appointment. Others have also questioned his appointment.

"All Quiet" Date Set

HOLLYWOOD, March 23.—"All Quiet on the Western Front," which is being reissued by Universal, will open here March 29 at Pantage's Hollywood.

"Holiday" Is Boston Smash With $34,000

BOSTON, March 23.—Boston grosses continued well up during the week, although showing a slight decline in the total from the previous week.

"Death Takes A Holiday," with a stage show, at the Metropolitan was high for the week, filling the theatre at all performances and rolling up a total of $34,000 for one of the best weeks in a long time.

Both RKO houses grossed well, Keith's going $5,000 above par with "It Happened One Night" while the Boston was up $4,000 with "Coming Out Party."

Total first run business for the week was $110,500. Average is $95,000.

Estimated takings for the week ending March 15 were:

"COMING OUT PARTY" (Fox)
BOSTON—(2,900), 25c-50c, 7 days. Stage: "Midway Nights" and "Streets of Paris." **Gross:** $20,000. (Average, $16,000.)

"DARK HAZARD" (F. N.)
"SHE MADE HER BED" (Para.)
FENWAY—(1,800), 30c-50c, 7 days. **Gross:** $8,500. (Average, $9,000.)

"IT HAPPENED ONE NIGHT" (Col.)
KEITH'S—(3,500), 30c-50c, 7 days. **Gross:** $21,000. (Average, $16,000.)

"LOOKING FOR TROUBLE" (U. A.)
LOEW'S STATE—(3,700), 35c-50c, 7 days. Vaude. **Gross:** $18,000. (Average, $16,000.)

"DEATH TAKES A HOLIDAY" (Para.)
METROPOLITAN — (4,350), 30c-65c, 7 days. "Carnival Capers" revue. **Gross:** $34,000. (Average, $28,000.)

"DARK HAZARD" (F. N.)
"SHE MADE HER BED" (Para.)
PARAMOUNT—(1,800), 30c-50c, 7 days. **Gross:** $9,000. (Average, $9,000.)

More Code Boards Set

Changes and shifts of personnel in the Philadelphia, Boston, Minneapolis, Portland and New York code boards were practically completed by the committee on selections yesterday. Some of the boards are now definitely set, and it is hoped that the balance will be designated next Wednesday at another meeting, before the Campi meets again.

"U" Buys "Swiss"

HOLLYWOOD, March 23.—Universal has bought "Swiss Family Robinson."

Opportunity Desired with Major Producer

New York attorney thoroughly experienced in legal business and negotiations in conjunction with production department, associated with and handled important motion picture transactions and accomplished things in this industry; also admitted to the California bar and practiced in that state. Seeks an opportunity with production department of major company in studios at West Coast to handle company business in conjunction with home office. Want opportunity of studying and acquiring the production knowledge of business. Highest references.

Box RAS, MOTION PICTURE DAILY
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The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

Vol. 35. No. 70 NEW YORK, MONDAY, MARCH 26, 1934 TEN CENTS

New Concerns For St. Louis Deal Are Set

Want Skourases to Back Part of Bond Issue

ST. LOUIS, March 25.—Details of the proposed plans for reorganization of the Ambassador, Missouri and Grand Central theatres, which, the backers hope, will be approved by the U. S. District Court and take the properties out of receivership, have been made public by Thomas N. Dysart, chairman of the first mortgage bondholders' committee.

As has been already stated, the big factor in the reorganization will be Allen L. Snyder, formerly vice-president of the Stone & Webster Engineering Corp., and now head of a storage battery concern.

Under the plan the present bondholders would become owners of the Ambassador and Missouri theatre buildings and the leasehold on the Grand Central through an exchange of their present bonds for bonds and common stock in two Missouri corporations to be organized by Snyder to acquire title to the properties.

One of the new corporations would

(*Continued on page 6*)

Majestic Decides on Finishing Schedule

Majestic has definitely decided to complete its current lineup of eight pictures. "Wild Geese," the first, is slated to start within the next few weeks. Herman Gluckman, president, plans to leave for Hollywood this week to complete negotiations for a studio and a producer.

Pictures to be made on the 1933-34 schedule include in addition to "Wild Geese," the following: "My Life," "The Rosary," "Husband Hunters," "An Entirely Different Woman," "Gaily I Sin," "The Diary of a Bad Woman" and "The Laughing Woman."

About 12 features are planned for 1934-35.

Two Theatre Issues On File in Capital

WASHINGTON, March 25.—Security issues of the Paramount, Portland, Ore., and the Capitol, Wheeling, W. Va., have been filed with the Federal Trade Commission under the Securities Act, it was learned yesterday. Both are reorganization projects calling for the deposit of securities of the concerns with bondholders' protective committees.

Clearance Board of 12 Is Sought for New York

Recommendations for increasing the New York clearance and zoning board to 12 are now before the committee on selections, which is mulling over the plan. The suggestion does not carry with it a similar boost for the grievance board.

Some members of the committee are frowning on the idea of doubling the regular lineup for clearance and zoning, but proponents of the plan are anxious to incorporate in the structure all of the important local theatre interests.

The recommendations have gone back to the committee, which again meets on Wednesday to decide on the issue. Code Authority—Campi—will have to approve if the committee decides to approve the suggestion. This would mean dropping of the three

(*Continued on page 6*)

Finnegan to Stay, Rosenblatt Rules

KANSAS CITY, March 25.—Protest by Jay Means, president of the I.T.O., against appointment of Thomas J. Finnegan as impartial member of the Kansas City grievance board has brought the reply from Division Administrator Sol A. Rosenblatt that the appointment will stand.

While Means is reluctant to discuss the matter, it is understood his objection to Finnegan was based primarily on the fact the government member is a Democratic ward committeeman here and the suspicion he may permit political considerations to influence his

(*Continued on page 3*)

All Boards Thus Far Set Meet This Week

Practically all of the clearance and zoning and grievance boards officially set will meet this week to get organized and submit recommendations for quarters and secretaries.

Last week manuals on operations were sent to all industry and impartial members of the boards with instruc-

(*Continued on page 3*)

Philadelphians to Fight Rental Boost

PHILADELPHIA, March 25.—Members of the M.P.T.O. of Eastern Pennsylvania, Southern Jersey and Delaware will head westward to the convention with axes sharpened against the rumored cost increases of films.

With increased cost of operation under code regulations and the fact

(*Continued on page 6*)

Another Declines

Atlanta, March 25.—Arthur Lucas, who replaced Lionel H. Keene of Loew's as affiliated exhibitor representative on grievances, has advised Campi—Code Authority of the M. P. Industry—of his inability to serve. He gives his reason as pressure of business.

Review Board Finds Fight On Its Hands

WASHINGTON, March 25.—President Roosevelt's National Recovery Review Board, preparing to hold a hearing Monday on the code, Saturday found itself facing a fight for life as officials of the NRA, aroused over failure of the board even to notify them that hearings were contemplated, prepared to protest to the White House. So far as could be learned Saturday, neither members of the Code Authority nor officials of the Recovery Administration had been invited to appear before the board to

(*Continued on page 3*)

Prince Edward Talks About Censor Board

TORONTO, March 25.—Prince Edward Island proposes to set up a censorship board because of complaints said to have been received against a British film, "The Private Life of Henry VIII." Film exchanges are concerned because the creation of a censor board would necessitate opening a branch office in Charlottetown, capital of the island, which has but four theatres operating and which is the only province in the Dominion without a board of censorship.

Construction Picks Up Around Virginia

RICHMOND, March 25.—New construction and theatre improvements in this territory are regarded as increasing signs of prosperity.

One new house, the Patrick Henry, was recently completed at a $75,000

(*Continued on page 6*)

NIRA Labor Clause Faces Test in Court

Constitutionality to Be Attacked on Appeal

An attack on the constitutionality of the labor clause of the National Industrial Recovery Act is in progress in New York State, with the possibility that it will reach the U. S. Supreme Court.

It involves the reinstatement of 55 operators employed by members of the I.T.O.A. Two cases covering the controversy have been in progress for some time. Both were brought by Local 306, I.A.T.S.E., one in the form of a complaint to the Regional Labor Board and the other in the N. Y. Supreme Court. The board ordered the reinstatement of Local 306 men and Judge Collins ordered 11 theatres to reinstate 55 men without naming their union affiliations.

Milton C. Weisman, attorney for the I.T.O.A., secured a stay from the Appellate Division preventing enforcement of either Judge Collins' order or the Regional Labor Board ruling until the Court of Appeals has ruled. Weisman predicts that if the ruling is against his clients he will take the case to the U. S. Supreme Court.

Briefs are to be filed by Weisman

(*Continued on page 3*)

Reservations Piling In for MPTOA Parley

Reservations are beginning to pour in for the M.P.T.O.A. convention in Los Angeles April 10-12. Wisconsin will have its own car, to be attached to the special leaving Chicago over the Rock Island into El Paso and then further west on April 6.

Love B. Harrell of the Southeastern Theatre Owners' Ass'n has requested 100 identification cards, while 20 have been requested from the M.P.T.O. of South Carolina. One group of Southern exhibitors will leave Memphis in a special car.

German Films Given Protection Promise

BERLIN, March 25.—Increased protection for German films against foreign competition was promised for the near future by Propaganda Minister Paul Goebbels at a meeting of representatives of the German film industry here.

Producers adopted a resolution declaring that because German studios

(*Continued on page 6*)

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Garyn on Sales Trip

W. P. ("Pat") Garyn, now identified with the United Newsreel Corp., left for a swing through the Middle West yesterday by auto. He plans to take in Pittsburgh, Cleveland, Detroit, Chicago, Milwaukee, Kansas City and St. Louis in the interest of "Broadway Gossip" and "The American Explorers" series.

Kuykendall in St. Louis

ST. LOUIS, March 25.—Ed Kuykendall stopped over today en route from New York to Dallas. While here he conferred with Fred Wehrenberg and members of his M.P.T.O. unit in regard to the code and annual convention of the national organization.



Insiders' Outlook

IT was made and released as "Fashions of 1934." Then Warners did some inserting and the monicker became "Fashion Follies of 1934." Fox, with much invested in and much anticipated from its own "Fox Movietone Follies," objected through a Hays board of mediation and won out. "Follies" came out of the Warner picture, but "Frolics" went in. Fox publicized that case and advertised change of its "Follies" to "Stand Up and Cheer," hoping, no doubt, audiences will do just that. . . .

▼

Nothing, however, has been said about another case of title similarity. Fox bought "Music in the Air," a successful Broadway musical, at a price lurking around the $50,000 mark. Fact that Warners are bouncing through with an opus called "Rhythm in the Air" made Fox no likee the idea and precipitated another protest to the Hays organization. Innocuous enough and sans any explanation comes the Warner change now to "Twenty Million Sweethearts." Maybe tying in with these two incidents, maybe not, is the understanding Fox either won't sell the Warner circuit next year or Warner won't buy. . . .

▼

Row over the proposed code hearings in Washington today before the National Recovery Board of Review is no particular surprise. Campi—Code Authority of the M. P. Industry to you—hadn't been notified by the NRA of any specific cases of complaint scheduled to come up today. . . . House ad: Biogs of code board appointees, as per serial publication in MOTION PICTURE DAILY, are being filed regularly and carefully by Division Administrator Rosenblatt's staff in Washington. Ditto, by Campi in New York. . . .

▼

Mort Shea still has a finger in the operating pie which is the Paramount, Brooklyn. The house officially is being managed by Extension Theatre Corp., of which Shea is president. However, Paramount is booking stage shows. Bill Raynor, as you may have noticed, has not been moved in all the talk of the house going back to Para. . . . Warners can keep the Shubert Rialto in St. Louis for 15 years if they like. They can also drop out in less than that many months if the squabble over the Ambassador, Missouri and Grand Central gets straightened out. It's that kind of a lease. . . .

▼

Metro is chewing fingernails, it's so excited over releases in the immediate offing. Down there, they point with pride and no pardon to "Riptide," "Viva Villa," set for the Criterion soon at advanced prices: "Men in White," "Sadie McKee," "Tarzan and His Mate" and "Hollywood Party" as springtime revival hop for exhibitors. . . . Hostilities cracking on several fronts between RKO and Walter Reade are intensifying around the Lincoln theatre in Trenton. Bonds, leaseholds and the rest of it make up the ammunition. . . .

▼

Funny business at lunch the other day was the playful suggestion of Grad Sears that a checking organization to check checkers be formed. Warning Lou Metzger, now a first run operator in San Diego and constantly reminded of it by his former confreres in distribution in New York, that two checkers were being designated to accurately clock the Spreckels, Lou replied:

(*Continued on page 6*)

Pathe "A" Off ½ on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	26¾	26¾	26¾	.....	100
Consolidated Film Industries	4⅝	4½	4½	.....	700
Consolidated Film Industries, pfd	16½	16	16⅜	+ ¼	800
Eastman Kodak	89	88½	89	+1	300
"Fox Film "A"	15½	15⅛	15⅛	+ ⅛	400
Loew's, Inc	32⅜	32	32⅛	+ ¾	2,100
Loew's, Inc., pfd	90	90	90	.....	100
Paramount, cts	5	4¾	4¾	— ⅛	800
Pathe Exchange	3¼	3⅛	3⅛	— ⅛	3,100
Pathe Exchange "A"	18¾	16¾	18	— ½	3,800
RKO	3½	3⅜	3½	+ ¼	400
Warner Bros	6⅝	6⅜	6½	.....	2,200

Technicolor Up ¼ on Curb

	High	Low	Close	Net Change	Sales
Technicolor	8¼	8¼	8¼	+ ¼	100

Pathe Bonds Up ¾

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	9¾	9⅝	9¾	.....	10
Loew's 6s '41, ww deb rights	98½	98½	98½	+ ½	2
Paramount Broadway 5½s, '51	34	33⅞	34	+1¾	2
Pathe 7s '37, ww	92¾	92¾	92¾	+ ¾	1
Warner Bros. 6s '39, wd	55¼	54½	54½	.....	3



NIRA Labor Clause Faces Test in Court

(Continued from page 1)

and NRA attorneys in Albany on April 2.

"We are not opposed generally to the principles of the NRA," Weisman stated. "We believe that in various quarters the NRA is being given an interpretation that is directly contrary to the general spirit of the act and is monopolistic in favor of and for Local 306 and its foster child, now openly taken into it, Empire. The interpretation is oppressive to other labor associations and would give Local 306 a perpetual franchise and monopoly in furnishing operators.

"We feel and know the Supreme Court of the United States in the Adair case has held that the right of an employer to employ whom he sees fit is not to be denied him.

"For Benefit of Local 306"

"Under the strained interpretation which is being promulgated this fundamental concept is denied. Furthermore the denial is for the benefit of Local 306 and not for the advancement of recovery, or to further the interests of working persons. This is evident in the fact that the Regional Labor Board has held the fact that the new and other employes are working under shorter hours and receive more pay makes no difference. The board has held that where a contract with an employe has expired, the employer may not even, for cause, change his employes and the fact that the contract has not been efficiently filled by the workers and that it was originally obtained through intimidation and coercion is not to be considered.

"Such ruling and holding in effect gives the inefficient, dishonest and unreliable employes a virtual life position and saddles the employer with a burden he cannot bear and which we feel the NRA never intended he should."

All Boards Thus Far Set Meet This Week

(Continued from page 1)

tions to the independent first run exhibitor on clearance and zoning and the affiliated distributor on grievance boards to get together and hold joint sessions of both boards.

Campi (Code Authority Motion Picture Industry) still hopes to have the boards in operation by April 1.

All members of the boards do not have to be present for the informal meetings to be called, Code Authority has informed them. As long as there is a quorum present the meeting can be held.

Special forms for filing complaints with grievance boards will be sent out this week in order to insure uniform procedure. Another purpose of the form is to avoid legal action on complaints.

Ricketson Confers Here

Rick Ricketson, division manager for F. W. C. in Denver, is in town for conferences with the Skourases and Chase National Bank officials on reorganization of Fox Rocky Mountain Theatres.

Who? What? When?

Who are the latest appointees on code boards announced by Code Authority in New York?

More thumbnail sketches, gathered by MOTION PICTURE DAILY *correspondents, furnish the answer:*

San Francisco

SAN FRANCISCO, March 25.—CHARLES H. MUEHLMAN, representing affiliated national distributors on the San Francisco grievance board, is a former legitimate stage press agent who once operated the Savoy, now the President Theatre, here. From 1915 to 1918, he was local exchange manager for Fox and later an assistant to Joseph M. Schenck in New York. From 1918 to 1929, Muehlman was manager for Associated Producers locally and then manager for First National. There naturally followed his affiliation with Warners, for whom he is now branch manager in San Francisco. He is a member of the Film Board of Trade and of the Olympic Club.

BARNEY ROSE, representing unaffiliated distributors on grievance, was born on July 18, 1899, at Denver and gathered his education in high schools. From 1918 to 1922, Rose was a salesman for Arrow Film, with which W. Ray Johnston, now president of Monogram, was associated for years. His first period of employment with Universal got under way on Nov. 24, 1923, as a salesman, later becoming manager in Indianapolis. Since that time, he has been attached to the "U" exchanges in a number of cities, including Milwaukee, Cleveland, Minneapolis, Salt Lake, Denver and now San Francisco where he is the current manager. He came on from Denver about a year ago where, in addition to his official post with Universal, Rose was president of the Film Board.

CLIFF WORK, representing affiliated exhibitors on grievances, is at present in charge of RKO theatre activities here and manager of the Golden Gate Theatre (3,700 seats). Earlier, he was a Pacific Coast divisional manager for the same circuit and opened the Golden Gate 12 years ago. When Nat Holt, another Californian who is now in charge of RKO houses in Cleveland, was handling the former Libson string in Cincinnati, Work was on his staff. He is active in public relations work and a member of the California Theatre Ass'n.

AARON GOLDBERG, representing unaffiliated exhibitors on grievances, is the manager and sole owner of five and 15-cent houses in Market St. He is credited with having opened the first nickelodeon, the Peerless, on June 22, 1912, and is a member of the Independent Theatre Owners' Ass'n. Goldberg has no affiliation in the operation of his five houses. They are the Circle (400), Egyptian (390), Peerless (300), Silver Palace (300) and Unique (300).

A. C. SCALES, impartial member on grievances, is director of the membership department of the San Francisco Chamber of Commerce, with which he has been identified for the past three years. He is a former member of the firm of Brooks and Scales, tire distributors, former manager of the Moreland Motor Truck Co., president of the California Golf Club, and president of the Men's Cathedral Club of the Grace Cathedral Church.

G. C. PARSONS, representing affiliated national distributors on clearance and zoning, was a branch manager for Goldwyn Pictures and subsequently for M-G-M here since May 9, 1920. He is a former exhibitor with Baltimore as his scene of operations and at one time managed the Triangle exchange here. Parsons also is a member of the Film Board.

FLOYD ST. JOHN, representing unaffiliated distributors on clearance and zoning, came here as a manager for World Film under Ricord Gradwell and later opened an independent exchange as Cooperative. He is one of the original founders of Monogram and today distributes that company's product in northern and southern California. St. John operates two offices, one here and the second in Los Angeles. He is a member of the Monogram board of directors.

A. M. BOWLES, representing affiliated first runs on clearance and zoning, is general division manager for Fox West Coast in Northern California. He launched his film career years ago as an exhibitor in Livermore, Calif., then worked for Pathe as a salesman. Later joining Turner and Dahnken, Bowles became manager of the Tivoli, and subsequently general manager of the T. & D. circuit after which he began his present association with FWC. Bowles is president of the California Theatre Ass'n, is active in public relations work and is regarded generally as one of the outstanding figures in exhibition in this neck of the woods.

In Bowles' division are the California (1,000 seats), Campus (1,500), U. C. (1,000) and United Artists (1,646) in Berkeley; Peninsula (1,800) in Burlingame; Kinema (1,400), Fox State (1,200), White (1,000), and Fox Wilson (1,800) in Fresno; Fox Oakland (3,500), Fox Senator (1,642), Orpheum (3,700), Grand Lake (1,700), New State (1,536) and Paramount (3,400) in Oakland; Fox Stanford (1,440) and Fox Varsity (875) in Palo Alto; Monache (816) in Porterville; Sequoia (1,200) in Redwood City; Fox California (1,544) in Richmond; Alhambra (2,000), Capitol (1,100), Hippodrome (1,705) and Senator (1,703) in Sacramento; Fox California (1,210) in Salinas; California (2,348), El Capitan (3,500), New Rialto (1,500), Paramount (3,000); St. Francis (1,400), Embassy (1,200), and Warfield (2,670) in San Francisco; California (2,067) and Mission (1,200) in San Jose; California (2,359) and Fox State (1,200) in Stockton; Grand (700) in Tracy; Senator (1,000) and Fox Virginia (1,000) in Vallejo; Appleton (956) and Fox California (1,170) in Watsonville.

(Continued on page 6)

Review Board Finds Fight On Its Hands

(Continued from page 1)

answer the charges which will be heard Monday.

Only those who have formally asked permission to appear will be permitted to testify at the hearings, it was said, a rule which, if enforced, will make it impossible for the Administration to present its side of the case. Advised through the trade press of the hearing upon his return from New York, Division Administrator Sol A. Rosenblatt has called off a proposed trip to New Orleans in order that he may attend.

Officials of the Administration Saturday were represented as highly resentful over the procedure followed by the board and preparing to go to the White House to protest the making of any report by the board until the Administration's side had been presented.

It was pointed out that under the policy of the board opponents of codes, who were given full opportunity to present their views during negotiation of the agreements, can now go to the board with the same arguments, without any one to confront them with alternative testimony or cross examination.

Finnegan to Stay, Rosenblatt Rules

(Continued from page 1)

vote. When MOTION PICTURE DAILY recently informed Means of Finnegan's appointment, the I. T. O. head declared: "That will never do."

Rosenblatt, in reply, is understood to have informed Means that recommendations for the impartial posts in Kansas City were made from various sources, including the I. T. O., and since an insufficient number of names had been submitted, additional recommendations were asked for. Finnegan's name thereupon was submitted as a highly respected and competent citizen, which description was verified in a check with the Chamber of Commerce and leading citizens, and the appointment followed, Rosenblatt is said to have told Means.

Another consideration that is reliably reported to have caused the protest is that Finnegan, who has been zone sales manager here for *Collier's* 30 years and for a long time active in politics, is not well known among the suburbans. Means has never met him. Several who know Finnegan approve his appointment and say they feel certain politics will have no bearing on his decisions.

Means said no further protest on Finnegan's appointment will be filed either by him or his organization. He is trying to ferret out the source of the recommendation.

"Villa" to Criterion

Opening of "Viva Villa" at the Criterion April 6 inaugurates the first of a series of two-a-day roadshows planned by M-G-M. The deal for the Criterion was closed Saturday and marks the initial M-G-M release in that house since "Mare Nostrum" about eight years ago.

STEP OUT WITH

Edna Ferber's

GLAMOUR

I'LL TELL THE WORLD

UNCERTAIN LADY

THE

BLACK CAT

★ ★ ★ ★ ★

LITTLE MAN, WHAT NOW?

UNIVERSAL and . . .

PAUL LUKAS
CONSTANCE CUMMINGS

Phillip Reed, Doris Lloyd, Joseph Cawthorn, and many others. Directed by WILLIAM WYLER. A B. F. ZEIDMAN PRODUCTION.

LEE TRACY

GLORIA STUART
ROGER PRYOR

Onslow Stevens, Alec Francis, Lawrence Grant and many others. Screenplay by Dale Van Every and Ralph Spence. Directed by Edward Sedgwick. Produced by Carl Laemmle, Jr.

EDWARD EVERETT HORTON
GENEVIEVE TOBIN

Renee Gadd, Paul Cavanagh, Mary Nash, George Meeker, Dorothy Peterson. From a play by Harry Segall. Directed by Karl Freund. Produced by Carl Laemmle, Jr.

BORIS KARLOFF
BELA LUGOSI

David Manners, Jacqueline Wells, Lucille Lund, Andy Devine. Story by EDGAR ALLAN POE. Directed by Edgar Ulmer. Produced by Carl Laemmle, Jr.

MARGARET SULLAVAN

DOUGLASS MONTGOMERY, Mae Marsh, Fred Kohler, George Meeker, Hedda Hopper. Novel by Hans Fallada. Screenplay by William Anthony McGuire. Produced by Carl Laemmle, Jr.

Directed by

FRANK BORZAGE

Presented by CARL LAEMMLE

New Concerns For St. Louis Deal Are Set

(Continued from page 1)

take up the securities of the Central Properties Corp., which originally floated a bond issue of $4,500,000 against the Ambassador and Grand Central, while the second new company would exchange its bonds and stocks for those of the St. Louis Properties Corp., which floated an issue of $2,000,000 against the Missouri theatre and office building.

There is now outstanding $6,503,875 unpaid principal and interest under both bond issues. A decree of foreclosure was entered by U. S. District Judge Charles B. Davis last December, but the date for sale by Special Master Nelson Cunliff has not been announced.

Less Interest on Bonds

The old bonds bore six per cent interest while the new bonds would carry five per cent and mature in 15 years, but there is a provision that the interest shall be paid out of net earnings to the extent they will suffice.

Both corporations would be authorized to issue income bonds to the total principal amount of the present first mortgage bonds. In addition to the new income bonds the present bondholders would also receive voting trust certificates on the basis of one share for each $100 of deposited first mortgage bonds, but the aggregate of these is not to exceed 65 per cent of the capital stock of the new corporations.

Of the remaining stock, 25 per cent would be prorated among first mortgage bondholders who deposit such securities as a reward for their cooperation. The remaining 10 per cent would be treasury stock to be issued to directors for qualification purposes.

The capital stock of the new company to take over the Missouri would consist of 30,000 shares of $1 par value common stock, while the concern that will take the Ambassador and Grand Central would issue 61,500 shares of $1 par value common stock. Both would be placed with seven voting trustees.

Will Guarantee Principal

Under the plan Spyros P., Charles P. and George P. Skouras and C. M. Turley, who guaranteed the payment of some of the former first mortgage bonds, will also guarantee the principal of the new bonds in an amount equal to the share of the depositing first mortgage bondholders in the deficiency which will result from the sale of the mortgaged properties. It is expected that this new guarantee by the Skouras Brothers and Turley will be accepted in lieu of the old guarantee.

The protective committee also proposes to lease the Ambassador, Grand Central and Missouri for a period of 10 years.

Under the Missouri lease the rental would be 15 per cent of the weekly gross with a guarantee of $1,000 and for the Ambassador and Grand Central the rental would also be 15 per cent of gross income with a minimum of $2,350 a week for the first two years, $2,550 a week for the next three years; $2,850 for the next three years, and $3,050 for the final two years. Deposits of $105,000 in cash have been made.

Two new corporations will also be organized for operation of the three theatres.

Who? What? When?

(Continued from page 3)

H. V. Harvey, representing unaffiliated first runs on clearance and zoning, is vice-president of the Harvey Amusement Co., president of the Madera Amusement Co. and secretary of the Independent Theatre Owners Ass'n. He started his activities as an exhibitor in 1919, operating the Y. M. C. A. theater at Mare Island, subsequently building and operating houses in Vacaville and Dixon in 1922. Harvey has been operating in Watsonville, his home town, for the past eight years and today is interested in five houses. His circuit includes the Exeter (450) in Exeter; National (500) and Madera (500) in Madera; Newman (350) in Newman and Pajaro (250) in Watsonville.

George Nasser, representing unaffiliated subsequent runs on clearance and zoning, is a member of the firm of Nasser Bros.—seven all told—who operate six houses in San Francisco and two in Alameda, all second runs. Their local string includes the Alhambra (1,700), American (800), Castro (1,100), New Fillmore (2,200), New Mission (3,000) and Royal (1,440). The Alameda houses are the Strand (1,300) and New Alameda (2,300). Nasser has been in the theatre business about 15 years and is a members of the California Theatre Ass'n, which is an affiliate of the national M.P.T.O.A.

Morgan Walsh, second exhibitor representing unaffiliated subsequent runs on clearance and zoning, got going as a theatreman 20 years ago, running a one man show. Subsequently, he joined Fox as a salesman in Omaha and later became manager of that company's exchange in Los Angeles. He resigned to re-enter the theatre field in San Diego and bought the Warner franchise for California. Later he sold this to become western district manager for the company. Walsh is credited with having introduced Vitaphone in this section, but left Warners to take over the T. & D. Theatre in Oakland. As time went on, he became vice-president and general manager of the National Theatre Syndicate in association with George Mann, who is president. For the past three years, Walsh has been president of the Independent Theatre Owners Ass'n of Northern California.

As general manager of Midland Theatres, Inc., of which Mann is president, Walsh is concerned with the operation of six theatres, which are the Liberty (450) and National (1,200) in Marysville; American (1,600) in San Jose; Modesto (1,000) and National (800) in Modesto, and National (800) in Woodland.

W. W. Chapin, impartial member on clearance and zoning, is the publisher of the *San Francisco Argonaut* and has had a long career in the newspaper field. He was publisher of the *Seattle Post-Intelligencer* and also of the *San Francisco Call*. In 1912, he bought the *Oakland Enquirer* and later became publisher of the *Sacramento Union*. Two years ago, Chapin purchased the *Argonaut*, a weekly local magazine, and succeeded in increasing its circulation from 5,000 to 18,000. He is a member of the Bohemian Club.

Philadelphians to Fight Rental Boost

(Continued from page 1)

that star salaries have remained at a status quo, local men feel that any upping of charges will be uncalled for. They maintain that an increased cost would mean an increased box-office tariff and they claim this would be fatal in these times.

No official committee has been appointed yet to represent the local outfit, though one will be picked some time next week. Meanwhile, among the territory exhibitors who expect to make the trip are Lewen Pizor, George Aarons, David Barrist, M. E. Comerford, Lew Berman, Louis Berger, Morris Nemez and Eddie Connelly.

K. C. Has Two Holdovers

Kansas City, March 25.—All precedents for Kansas City were shattered as two attractions were held simultaneously for a third week. They are "David Harum" at the Fox Uptown and "Elysia" at the Publix Royal. The managements figured that it would be more advantageous than running in a new picture for Holy Week.

Construction Picks Up Around Virginia

(Continued from page 1)

cost; another, the Carrolton, is nearing completion; a third is projected in South Richmond, and the Apollo Theatre Corp. of Washington is trying to get approval for changes at the old Strand, so it can be opened as a colored house.

Extensive rebuilding is expected at Virginia Beach as a result of the winter storm.

B. F. Moore to St. Louis

St. Louis, March 25.—B. F. Moore has been appointed manager for the Shubert-Rialto, which Warners will reopen on March 31 with "Wonder Bar." He comes here from Columbus, where he has been manager for an RKO house. Prior to that he had a roving commission for Warners.

K. C. Gets "Wide Range"

Kansas City, March 25.—First installation in Kansas City of Erpi's "wide range" equipment has been completed at Robert Rhodes' Gillham Theatre.

'Merry Frinks' New Title

Hollywood, March 25.—Warners have changed the title of "The Happy Family" to "The Merry Frinks."

Board of 12 On Clearance, Zoning Sought

(Continued from page 1)

main board plans for one main board with three assisting committees. The code does not provide for an enlarged board of 12 in any zone, but if the authority approves, it is likely the division administrator will consent.

Personnel of the Boston, Philadelphia, Portland and Minneapolis boards also has been referred back to committee. M. Higgins of Shamokin is now set in as first run independent on the clearance and zoining in place of Floyd Hopkins. Herbert J. Elliott and M. Rogassin also are tentatively named for posts. When the committee meets again Wednesday several shifts and replacements may be recommended for Campi's approval the following day.

The finance committee also meets Wednesday to work on the budget.

German Films Given Protection Promise

(Continued from page 1)

are capable of supplying the home demand for films "there is no need to look about for pictures of foreign origin."

Measures for promoting German film exports were also promised by Goebbels and the hope was advanced that the admission tax on German theatres would be ended soon. Goebbels urged the producers to strive to reflect the "spirit of the new, young Germany" in productions, but to avoid "overemphasis on propaganda."

RCA-Victor Issues New Sale Contracts

Contracts for actual sale of RCA Photophone reproducers have gone into the hands of salesmen. The new selling policy, announced some time ago, went into effect last week.

Exhibitors have been advised by E. O. Heyl, manager of the Photophone division, to hold all deals until they can get in touch with company salesmen.

Insiders' Outlook

(Continued from page 2)

"Well, it's easier to make a deal with two checkers than one." An hour or so later he sailed on the *Georgic*. . . .

▼

Hollywood plot invaded the broad area of the Astor ballroom last Wednesday night when the ITOA installation dinner was interrupted by the unexpected appearance of Marty Farber. Generally known locally and very well known to some, Farber handed out a raft of summonses to exhibitors having trouble with exchanges, or, to be more accurate, the other way around. . . .

KANN

THE Film DAILY

Intimate in Character
International in Scope
Independent in Thought

The Daily Newspaper
Of Motion Pictures
Now Sixteen Years Old

VOL. LXV. NO. 61 NEW YORK, THURS[DAY] [JANUARY] 34 5 CENTS

Producers Omit I.A.T.S. [from] Union Pact

FOX SHOWS $1,410,792 [NET] SETUP

Circuits See 25% Jum[p] [in] Week

Heavy Additional Burden Foreseen Under Plan to Cut Hours

Several hundred thousand dollars will be added to operation costs of major circuits if the proposed 30-hour week is passed by Congress, a FILM DAILY survey shows. Circuit executives are now figuring on a 25 per cent boost in overhead, based on the cut of 25 per cent in working hours from the present NRA maximum of 40 hours. According to one major circuit official, the average overhead in sal-

(Continued on Page 4)

Manu[facturers]

Copies of the grievance and z[oning] day or Monday. First move Code Author[ity] not be nati[fied]

'The M[otion]

Pic-tion-n local e finan-n of ex-e way as rs support een by the e Council.

week, prelim-wide movement the Council at a n on March 21 at evelt, 75 socially

d on Page 4)

RELEASE DATES SET ON 13 WARNER FI[RST]

Release dates on 13 new First National features h[ave] et, taking care of the chedule to the first of st includes: "Jimmy arch 17; "Wonde Gambling Lady," M tered Nurse" and

(Continued

Sam Kanto[r] 3 Mo[re]

Sam Kan[tor] meback i[n] equired buses, the e Newtown Elmhurst, arner house. R ueensboro Theater, s headquarters, and is tional houses. His organ[ization] lled Tanor Holding Corp.

Rowland and RKO Talking

West Coast Bur., THE FILM DAILY

Hollywood—Richard Rowland, [who] directing production [at] Metro, has been [made] production executive.

Improvement is [Predicted] by Kent in Annual Report

[Th]is first annual statement since [reor]ganization, Fox Film Corp. re[ports] net profit of $1,410,793 for the [40] weeks from April 1, 1933, effective [da]te of the reorganization, to Dec. [30]. This compares with a loss of $7,595,100 for the 40 weeks ended Dec. 31, 1932. In making the report yesterday, President Sidney R. Kent stated that the management feels the corporation "has successfully weathered a most critical period in its history and looks forward

(Continued on Page 4)

FOX WEST COAST BIZ IS UP 15 PER CENT

West Coast Bureau of THE FILM DAILY

Hollywood—Fox West Coast circuit business is reported to be more than 15 per cent improved as compared with this month in 1933. Officials of the outfit look for a further improvement.

Rogers After Trip

Kendrick Handling Springfield Theater

[Spr]ingfield, Mass. — Harry Ken-[drick], former vice-president of Fox [West] Coast Theaters, has been [appoi]nted manager of the Fox theater [here].

Paramount to Exploit Dozen Potential Stars

Paramount will exploit 12 players as embryo stars with special trailers and other forms of publicity, during the next four months. The first trailer, "Stars of Tomorrow," is completed and will be sent to all Paramount houses this week. The

(Continued on Page 4)

Union Agreement [with] I.A.T.S.E. Not Included

West Coast Bureau of THE FILM DAILY

Hollywood—Basic agreement between major producers and unions was renewed yesterday for two years, with the I.A.T.S.E. [and] M.P.M.O. [of] America (Local [No.] 37) not included.

(Continued on Page 4)

Improved Conditions Boost Attendance in Canton, O.

Canton, O. — Turnaway business every Sunday is reported by Joe [Hei]man, manager of the Palace, [Ma]jestic, Broadway and Grand houses offer duals on Sunday.

"Rothschild" Acclaimed

George Arliss in "The House of Rothschild," 20th Century production released by United Artists, was acclaimed by a distinguished premiere audience at the Astor Theater last night. Reaction of the opening night [audience] was [enthusiastic]. [Every] [one] in the [audience] [was] [pleased] [with] the [picture] [and] [Arliss'] [performance]. [Critics] [were] [unanimous] [in] [their] [praise].

The BOOK WITH A BACKGROUND

now being distributed to subscribers of THE FILM DAILY 1650 Broadway, N. Y. C.

"One Night" Leads Bad Montreal Week

MONTREAL, March 25.—Lent hit theatres a wallop last week, but "It Happened One Night," as the important half of a twin bill at the Princess, ran up a fine $7,500. "Shadows of Sing Sing" was the other picture.

Every other first run hit the skids to a certain extent. Total first run business was $36,000. Average is $36,500.

Estimated takings for the week ending March 17:

"ESKIMO" (M-G-M)
"OLIVER THE EIGHTH" (M-G-M)
CAPITOL—(2,547), 25c-35c-50c-60c-75c, 7 days. **Gross:** $8,500. (Average, $9,000)
IMPERIAL—French operetta.
"THE GHOUL" (British)
LOEW'S—(3,115), 25c-35c-50c-65c-75c, 7 days. Stage: "Illusions" Idea; Bernice Claire; Lucille Page; Lamberti; the 6 Danwills; 12 Canadian Rockets. **Gross:** $10,000. (Average, $10,500)
"THIS SIDE OF HEAVEN" (M-G-M)
"THE GIRL FROM MAXIM'S (British)
PALACE—(2,600), 25c-35c-50c-60c-75c, 7 days. **Gross:** $10,000. (Average, $11,000)
"IT HAPPENED ONE NIGHT" (Col.)
"SHADOWS OF SING SING" (Col.)
PRINCESS — (2,272), 25c-35c-50c-65c, 7 days. **Gross:** $7,500. (Average, $6,000)

Court Rules Talkies Hold a Libel Danger

ALBANY, March 25.—Sound films as a possible new instrument of libel were considered in a majority opinion of the Appellate Division in denying a motion to dismiss a $150,000 libel action brought against Paramount Publix by Mrs. Minerva Brown, Norwich, N. Y., who charges her reputation and character were injured by the picture, "An American Tragedy."

"Such a production may be libelous," the court's opinion states. "In the hands of a wrongdoer these devices (sound films) have untold possibilities toward producing an effective libel."

Chester Gillette was executed for the murder at Big Moose Lake in 1906 of Mrs. Brown's daughter. The plaintiff charges that the picture portrays her as a slovenly and illiterate person.

Equity Group Seeks New Officer Lineup

A challenge to the present Actors' Equity Ass'n administration headed by Frank Gillmore developed Saturday at a gathering of the membership at the Astor at which opponents of the administration succeeded in getting three candidates named to the nominating committee which will draw up a slate of officers to be voted upon at the annual meeting to be held in May or June.

Jane Seymour, Jane Wheatley and Millard Mitchell were the three named. Other members of the nominating group chosen were Selena Royle, Bert Lytell and Ernest Truex. Elected alternates were Burgess Meredith, Morris Carnovsky and Jerome Cowan.

Len Daly Goes to U. A.

Len Daly, formerly with Paramount, has joined the foreign publicity department at United Artists.

Hays Meeting Today

Annual meeting of the Hays organization is scheduled for today.

Purely Personal

BILL PINE left for the coast yesterday after several weeks of looking over exploitation ideas at the Paramount home office. He'll be back shortly.

MORRIS SIMPSON, special representative for Paramount International, arrives from Europe on the *Olympic* tomorrow with JOHN W. HICKS, head of the Paramount foreign department.

JOHN W. HICKS, JR., is in Berlin now and from there goes to Paris and then to England. After a visit with JOHN C. GRAHAM in London, HICKS will return to New York.

JOE BEZAHLER, assistant to E. M. SAUNDERS, left Saturday for a tour of M-G-M exchanges which will include Kansas City, Omaha and Denver.

HOWARD DIETZ will have one of his songs in "Operator 13," which the Four Mills Brothers will render. The song is "Jungle Fever."

EDDIE AARON of M-G-M is back from a circuit of M-G-M branches and expects to leave this week on another tour.

HAL HORNE gets back today from Miami, where he's been recuperating from a recent illness. JACK COHN is also due back today.

MARY PICKFORD will be given a testimonial dinner by the Actors' Dinner Club tonight prior to her leaving for another personal appearance tour.

ROBERT MONTGOMERY arrived in New York yesterday for a vacation.

GEORGE DILLON is in from Washington.

Looking Over Shorts

"Oswald in the Candy House"

(Universal)

The idea of Hansel and Gretel has been burlesqued in the form of an Oswald cartoon with music. All the dialogue is sung. Oswald and his sister are led into the woods where they are lured to a candy house in which a witch tries to burn them alive, but is foiled. They finally get back towing the candy house behind them. It's good stuff for kids. Running time, 8½ mins.

"Funny Little Bunnies"

(Disney-U. A.)

Great Easter release for the kids with a snappy theme song and some fine color work. A couple of bunnies bounce across the landscape, pull aside a curtain, and the spectator is behind the scenes where bunnies make chocolate rabbits, paint Easter eggs, and distribute them around. A swell continuity is punctuated with some laughs that will get grownups as well as youngsters. Running time, 8⅓ minutes.

"Nervous Hands"

(Vitaphone)

Ben Blue in a two-reeler built around a jealous husband, Billy Halligan, with Loretta Sayers as the wife. Halligan, while repairing his aerial on the roof, gets into an argument with Blue, who escapes down the fire escape into Halligan's apartment. The complications become acute when Miss Sayers tries to repair a rip in Blue's trousers. Plenty of laughs. Running time, 20 mins.

"Broadway Nights"

(Paramount)

Set in a Broadway night club and featuring the Yacht Club Boys, this short is well done, but will probably fail to register with the average audience because of the sophisticated material of the performers. An intricate dance routine by a well trained chorus, and Ed Paul and his orchestra are also presented. Running time, 10 mins.

"Mills Blue Rhythm Band"

(Vitaphone)

There is plenty of pictorial variety and some fine music in this "Melody Master" one-reeler. Singers are Sally Gooding, Freddie Washington, Hamtree Harrington and the Three Dukes. The number opens in a night club. There are nine selections. Running time, 10 mins.

"The Vanishing Shadow"

(Universal)

In the first three episodes of this serial there are automobiles chases, fights, mysterious disappearances by means of an electrical apparatus, a train hitting an automobile, and other forms of excitement.

The story revolves around the effort of Walter Miller to get hold of Onslow Stevens' *Tribune* stock. Miller's daughter, Ada Ince, is on the side of the Stevens and he also has the aid of James Durkin, an electrical expert, who controls a number of mysterious devices.

In the first episode Stevens escapes to Durkin's laboratory after he thinks he has shot William Desmond. In the second there is a free-for-all fight in Miss Ince's apartment when the gang tries to capture Stevens, with a mysterious death ray figuring in the brawl. The third closes with a big dynamite blast on a road construction job. Each chapter runs about 20 minutes.

It ought to be good kid entertainment, and it may also please those adults who like plenty of action not weighted down by too much story.

"Come to Dinner"

(Vitaphone)

A fairly amusing burlesque on "Dinner at Eight." The impersonations of the members of the cast of "Dinner at Eight" are very good. The plot is laid out along the same lines as those of the feature. Margot Stevenson is featured. Running time, 20 mins.

"One Night" Pulls $9,000, Portland

PORTLAND, March 25.—"It Happened One Night" brought in a substantial first night crowd and the pickup was steady during eight days at the Paramount. The take was $9,000, or $4,000 over normal. "Ever Since Eve" was supplemental on the double bill.

May Robson in "You Can't Buy Everything," changed to "She Wolf of Wall Street," together with "Love Birds" brought in $6,400 at the Broadway, just $400 over normal.

Hamrick's Oriental went back into the first run column, bringing the house again up to average with a double bill, "I Like It That Way" and "Two Alone."

First run totals were $25,900. Average is $23,000.

Estimated takings for the week ending March 15:

"YOU CAN'T BUY EVERYTHING" (M-G-M)
"LOVE BIRDS" (Univ.)
BROADWAY—(1,912), 25c-35c-40c, 7 days. **Gross:** $6,400. (Average, $6,000.)
"MAN OF TWO WORLDS" (Radio)
HAMRICK'S MUSIC BOX—(2,000), 25c-35c-40c, 7 days. **Gross:** $2,000. (Average, $3,000.)
"I LIKE IT THAT WAY" (Univ.)
"TWO ALONE" (Radio)
HAMRICK'S ORIENTAL—(2,000), 25c-35c, 7 days. **Gross:** $2,000. (Average, $2,000.)
"OLIVER TWIST" (Monogram)
"WOMAN'S MAN" (Monogram)
PANTAGES — (1,700), 15c-25c, 7 days. **Gross:** $1,700. (Average, $2,000.)
"IT HAPPENED ONE NIGHT" (Col.)
"EVER SINCE EVE" (Fox)
PARAMOUNT — (3,008), 25c-35c-40c, 8 days. **Gross:** $9,000. (Average, $5,000.)
"PALOOKA" (U. A.)
UNITED ARTISTS—(945), 25c-35c-40c, 7 days. **Gross:** $4,800. (Average, $5,000.)

"One Night" Tops Buffalo 3rd Week

BUFFALO, March 25.—"It Happened One Night," in its third week, coupled with "The Lineup" as a new secondary feature, still was the town's big news, getting $8,400 or $1,900 above normal. "Nana" only went $200 over average.

Total take was $44,100. Normal is $43,500.

Estimated takings for the week ending March 23:

"NANA" (U. A.)
BUFFALO — (3,500), 30c-55c, 7 days. Stage: "Melody Mad Parade," with Johnny Perkins, the Twelve Aristocrats, Ruth Petty, Terrell & Fawcett, Jerry and Her Baby Grands, Betty Weems. **Gross:** $15,200. (Average, $15,000)
"THE MYSTERY OF MR. X" (M-G-M)
"FRONTIER MARSHAL" (Fox)
CENTURY—(3,000), 25c, 7 days. **Gross:** $6,000. (Average, $6,000)
"PALOOKA" (U. A.)
"IF I WERE FREE" (Radio)
GREAT LAKES—(3,000), 25c-40c, 7 days. **Gross:** $8,000. (Average, $8,000)
"NO MORE WOMEN" (Para.)
"I WAS A SPY" (Fox)
HIPPODROME—(2,100), 25c-35c, 7 days. **Gross:** $6,500. (Average, $8,000)
"IT HAPPENED ONE NIGHT" (Col.)
"THE LINEUP" (Col.)
LAFAYETTE—(3,300), 25c, 7 days. 3rd week. **Gross:** $8,400. (Average, $6,500)

St. Louis Holds "Harum"

ST. LOUIS, March 25.—For the second week in succession the Fox has held over its program, "David Harum" going into a second week on March 23. The picture will make way for "George White's Scandals" on March 30.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 35. NO. 71 NEW YORK, TUESDAY, MARCH 27, 1934 TEN CENTS

Seek Reopening of Code To Aid Minority Groups

Authority May Name Boards' Secretaries Outside Lists

Appointment of secretaries by Code Authority—Campi—will not be confined to recommendations sent in from the field, it is learned. Campi is anxious to have as many suggestions for these posts as possible and everyone listed will be given due consideration before appointments are made.

Secretaries are not obligated to sign the code, it is stated by Campi, inasmuch as they are not entitled to vote. These men and women selected will be employes of Campi and paid according to the prevailing wage for similar work in territories they serve.

Hays Asserts Films Helped To End Slump

"Laughed Big Bad Wolf Of Depression Away"

Films were given credit for an important share in starting the country out of depression by Will H. Hays in his annual report to the M. P. P. D. A. yesterday.

"No medium has contributed more greatly than films to the maintenance of the national morale during a period featured by revolution, riot and political turmoil in other countries," he wrote. "It has been the mission of the screen, without ignoring the serious social problem of the day, to reflect aspiration, achievement, optimism

(Continued on page 4)

Howard, Goldsmith Up for Wage Board

Roy Howard and Dr. Alfred N. Goldsmith are understood to be under consideration for posts on the board to be set up by Division Administrator Sol A. Rosenblatt to promulgate a basic operators' wage scale for New York. The I.T.O.A. and Local 306 for some time have attempted to work out a scale for local

(Continued on page 7)

Big Southern Move News to Hoblitzelle

DALLAS, March 26.—Karl Hoblitzelle declares he has heard nothing of reports, originating in New Orleans, that Paramount's southeastern and southwestern partners were planning one huge theatre company to embrace that entire territory.

"So far as I am aware there is no truth to this report. We are operating the Interstate Circuit, Inc., along exactly the lines originally conceived, embracing only the state of Texas," the states.

Schenck to Be Made Head of Poli Soon

Election of Nicholas M. Schenck to the presidency of the Poli circuit and details, including date, of acquisition of the New England string for operation by Loew's are expected to be settled at a meeting to be held in a few days.

Loew controls the circuit and has for some time, Schenck declared on his recent return to New York from the coast.

Report Nathanson And F. P. Deal Set

TORONTO, March 26.—It is reported here that N. L. Nathanson, president of Famous Players Canadian Corp., is closing negotiations for the return of direct control of the circuit to Canadian and British interests which stand ready to make a stock purchase.

Nathanson had hardly reached this city on his return from a Florida vacation when he left for New York for the purpose, it is said, of discussing the deal.

Ralph Kohn of Paramount Publix stated yesterday this was the first he had heard of any such move.

Production Gains; 41 Features Going

HOLLYWOOD, March 26.—Production last week registered a decided increase over the preceding week. Forty-one features and 10 shorts were in work as against 40 and five for the previous week. There was also a healthy sign of continued activity with 33 features and 15 shorts in final stages of preparcontinue to be congested with 43 feation tentatively slated to start within the next two weeks. Cutting rooms

(Continued on page 2)

Cummins Rushing Picture on Hitler

"Hitler's Reign of Terror," a feature, is on the way.

Worked on secretly for some time and using the film credited to Cornelius Vanderbilt, Samuel Cummins has been rushing work on assemblage of the negative and expects to have the first print ready in about a week.

Reluctantly, he admitted his plan yesterday. He is understood to have obtained possession of footage recently shot in Germany on a narrow gauge camera, purporting to show Jewish doctors and lawyers waiting in long lines for registration in concentration campaigns and other shots allegedly showing atrocities.

Milwaukee Doubles Spurt Despite Ban

MILWAUKEE, March 26.—Despite an agreement signed last July by a majority of exhibitors in Milwaukee County outlawing double features, indications point to a revival of the practice here with 20 independent neighborhood houses now playing dual bills several times a week. This represents approximately 25 per cent of the theatres in Milwaukee County

(Continued on page 7)

"Scandals," "Harum" and "Christina" Going Strong

"George White's Scandals" got going like a house afire in a number of key spots and "David Harum" continued on its merry way, with "Queen Christina" getting its share of the big business.

Pittsburgh, Cleveland, Oklahoma City and Boston were the spots where the Fox musical kept box-offices busy. In Kansas City, Pittsburgh, Boston and Indianapolis "David Harum" was

(Continued on page 7)

Indies Thought Slighted As Review Board Opens Capital Hearings

WASHINGTON, March 26.—Reopening of the code on the ground it left the industry under the domination and at the mercy of the major producers appeared tonight to be the aim of the National Recovery Review Board following its initial hearing today.

After a day devoted to the hearing of complaints, during which Lowell Mason, counsel for the board, who refused appointment as impartial member of the Chicago grievance board, attempted to show producer domination, the investigation was recessed until Thursday.

Tonight telegrams requesting their appearance were sent to all 10 members of the Code Authority and will be followed by similar requests to the sales managers of the major producing

(Continued on page 4)

Some Code Boards Get Work Started

CINCINNATI, March 26.—First joint meeting of the grievance and clearance and zoning boards was held today at the Variety Club quarters in the Netherlands-Plaza, with all members present except John Elliott and George Smith of the grievance board.

Frank W. Huss of the clearance and

(Continued on page 7)

Finnegan Out, Lux Goes on K. C. Board

Dr. Paul Lux has been appointed by Division Administrator Sol A. Rosenblatt to replace Thomas J. Finnegan as impartial member of the Kansas City grievance board. Jay Means, president of the I.T.O. of Kansas, protested Finnegan's appointment to the board.

Finnegan was originally announced for the post, but approval was never confirmed.

Three Forms Printed For Grievance Files

Three types of forms for filing complaints before the 31 grievance boards are being mailed to members of the boards this week by Code Authority.

One will be a white form which will

(Continued on page 7)

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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MAURICE KANN
Editor

JAMES A. CRON
Advertising Manager

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Chevalier-Laughton In One English Film

LONDON, March 26.—London Films will make "The Field of Cloth of Gold," with Charles Laughton as Henry VIII, Maurice Chevalier as the King of France, Douglas Fairbanks Jr. as Emperor Charles, Flora Robson as Catherine of Aragon and Merle Oberon as Ann Boleyn. Alexander Korda will direct.

Pommer Joins Eaves

Otto Pommer, general manager of the Brooks Rental Co. the past 12 years, has joined the Eaves Costume Co., Inc.,

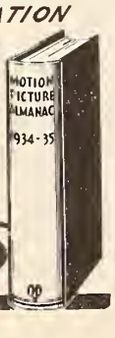
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1934-35

NOW IN PREPARATION

WHERE THE WORLD LOOKS FOR MOTION PICTURE facts

PRICE $5.00



U. A. in Miami Court Row on "Rothschild"

MIAMI, March 26.—United Artists, after confirming dates to Wometco Theatres on "The House of Rothschild," attempted to take the picture from them and serve the State as a roadshow. Wometco obtained an injunction against the State, prohibiting it from showing the picture and U. A. attorneys rushed to the Supreme Court without notice to Wometco attorneys and put up $10,000 supersedeas bond securing the right to run the film.

Womecto attorneys secured a hearing today in the Supreme Court to set aside the supersedeas bond and Judge Thompson stated the affair was an attempt by United Artists to take away the picture after confirming the dates, which appeared as an unfair trade practice to him. Wometco attorneys are Henry D. Williams and Albert Bernstein. In Miami, U. A. counsel is Evans, Mershon and Sawyer.

U. A. yesterday stated they knew nothing of the case except that the picture is playing in Miami as a roadshow.

Monogram Considers Two Western Series

Monogram is considering one or two series of westerns to include in next season's lineup. The outdoor series will be exclusive of the regular program, tentatively set at 20, four of which will be listed as specials.

Franchise holders meeting in Atlantic City April 4-7 will be asked to approve the schedule. John Wayne is being considered for one of the western series.

Trem Carr Due

Trem Carr, Monogram producer, arrives from Hollywood Saturday preparatory to the company's annual sales convention scheduled for Atlantic City April 4-7.

Lou Ostrow, production manager, trails Carr a couple of days later.

Michael Shea Is Ill

BUFFALO, March 26.—Michael Shea, head of the Shea theatres, is gravely ill. He recently observed his golden anniversary in show business. He will be 75 April 1.

Film Board Aiding Ampa Dinner Plans

Henry Randell of Paramount, president of the New York Film Board of Trade, last night called a special session of members of the board to map plans for cooperating with the Ampa on the Naked Truth Dinner. Half of the net profits will go to the M. P. Charity Fund and the other 50 per cent to the *Film Daily* Relief Fund.

Paul Benjamin, handling the affair, was present. Robert Wolff has been named chairman of the exchange committee and Jack Bowen is in charge of finances.

Al Jolson may be master of ceremonies at the dinner.

Palfreyman to Talk At N. O. Convention

NEW ORLEANS, March 26.—David Palfreyman, theatre contact for the Hays organization, will be one of the speakers at the Gulf States convention here April 3-4. Another will be Ed Kuykendall, president of the M.P.T.O.A.

Arrangements were completed today. Rodney Toups of Loew's State is handling the floor show and entertainment program for the banquet which will climax the convention on the final night.

Majestic After Theatre

Majestic is negotiating for a Broadway house to open "Unknown Blonde," in all probability on a two-a-day basis. E. H. Goldstein, executive vice-president, is considering the Gaiety and the Criterion. M-G-M last week rented the latter house on a four-week basis for "Viva Villa," starting April 6. Majestic, however, is anxious to get its picture, dealing with an expose of the co-respondent racket, into circulation immediately, and therefore may close for the Gaiety, now housing twin bills.

Claims Reputation Hurt

HOLLYWOOD, March 26.—Ginger Rogers' $100,000 suit against Earl C. Anthony, owner of Station KFI, the Health Bread Co. and NBC is on the ground that her reputation was ruined by Sylvia, the Hollywood masseuse's, alleged interview with her on the night of March 20.

Columbia Up 1 on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	27¾	27⅝	27¾	+1	400
Consolidated Film Industries	4¾	4⅝	4⅝	+ 1/16	500
Consolidated Film Industries, pfd	16½	16½	16½	+ ⅛	300
Eastman Kodak	89¼	88	88	—1	800
Eastman Kodak, pfd	133½	133½	133½	+ ½	1,000
Fox Film "A"	15⅞	15⅛	15¼	+ ⅛	700
Loew's, Inc.	32¾	31½	31⅝	— ½	7,600
Loew's, Inc., pfd	90	90	90	.....	200
Paramount Publix, cts	5	4¾	4⅞	+ ⅛	4,300
Pathe Exchange	3⅜	3⅜	3⅜	.....	1,300
Pathe Exchange "A"	18⅞	18	18	.....	4,200
RKO	3½	3¼	3¼	— ¼	1,300
Warner Bros.	6¾	6½	6⅝	+ ⅛	2,900

Curb Stocks Decline

	High	Low	Close	Net Change	Sales
Sentry Safety Control	⅜	⅜	⅜	.....	200
Technicolor	8¾	8½	8½	— ¼	500
Trans Lux	2	2	2	— ¼	100

Paramount Publix Bonds Rise 5/8

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	93¾	93¾	93¾	.....	11
Loew's 6s '41, ww deb rights	98½	98	98½	.....	9
Paramount F. L. 6s '47	49½	48½	49	+ ½	23
Paramount Publix 5½s '50	50	49⅝	49⅞	+ ⅝	36
Warner Bros. 6s '39, wd	55½	54½	55	+ ½	16

Purely Personal

PERCY PHILLIPSON of General Register, who has been here for a couple of months reorganizing the company, expects to return to London on the *Berengaria* which sails April 5. He'll be back in May, however.

MORT BLUMENSTOCK, Warners' theatre advertising and publicity director, left Saturday for St. Louis to open Shubert's Rialto there the end of this week.

CLAYTON HENDRICKSON, who was transferred from the Paramount New York exchange to the home office, is not Don Velde's assistant, but a member of his staff.

IRVING WINDISCH of Warners left Sunday night for a week's trip to Buffalo to handle the exploitation of "Wonder Bar" there.

JAMES (SCHNOZZLE) DURANTE will be guest of honor at a cocktail party at Leon and Eddie's tomorrow afternoon.

ABE WAXMAN has been named chairman of the publicity committee of the forthcoming annual NVA drive. "NVA Week" begins April 27.

BOB O'DONNELL is in from the south and will stay for a couple of weeks.

A. H. FISHER has joined Gaumont British and will handle G-B sales directly to theatres throughout the U. S.

IRENE DUNNE will arrive in New York tomorrow morning for a visit with her husband.

BOGART ROGERS' original, "Twenty Hours by Air," has been purchased by Paramount.

SAM DEMBOW will attend the M. P. T. O. A. convention in Los Angeles next month.

NATHAN BURKAN lingered behind at Miami, although JACK COHN returned late Saturday.

HAL HORNE is back from a vacation south. Usual tan on Hal and envy around the U. A. office.

MORRIS KEIZERSTEIN is back from a Hollywood trek.

AL JOLSON and SID SILVERS among those at the Music Hall Sunday night.

Production Gains; 41 Features Going

(*Continued from page 1*)

continue to be conjested with 43 features and 18 shorts in the editing stages.

Paramount continued to lead the field with eight features in work, six preparing and four cutting; Fox followed with five, five and five; Universal, five, one and two; Columbia four, three and four; M-G-M, four two and nine; Warner-First National four, one and nine; Century, two, zero and one; Radio, one, seven and four; Sam Goldwyn, zero, one and zero while the independent groups register a total of eight, seven and five.

Among the short subject makers Roach reported two in work, three preparing and four cutting; M-G-M had one, two and one; Universal, one one and one; Columbia, zero, one and two; Radio, zero, three and three while the independent group had six five and seven.



VIVA VILLA!
Starring
WALLACE BEERY
A Metro-Goldwyn-Mayer Picture
Produced by
David O. Selznick
Directed by
Jack Conway

"I'M NOT SORE!"

—phoned Red Kann, editor of Motion Picture Daily . . .

"but here's what disturbed my Sunday afternoon calm . . . a telegram from our Coast correspondent, Vic Shapiro . . . he wired:

'VIVA VILLA TERRIFIC!'

. . . I thought you'd like to know!"

Thanks for the tip-off, Red. You'll agree when you see "VIVA VILLA!" at its World Premiere, Friday Night, April 6th. Criterion Theatre, Twice-Daily Thereafter.

Seek Reopen Code to Aid Minorities

(Continued from page 1)

companies. The board has no power of subpoena and it will be up to the individuals involved to determine whether they will appear at the Thursday hearing.

Indications were that NRA officials would go to the White House with a demand that the board give some consideration to the data they have accumulated before reporting that the code should be amended.

Demanding that Division Administrator Sol A. Rosenblatt take the stand as the first witness this morning, Mason made it evident that the board has no intention of asking the cooperation of the Recovery Administration. Acting on the theory that it was set up to investigate agreements negotiated by the Administration, the board has determined to play a lone hand.

Rosenblatt Balks

Pointing out that he had not been subpoenaed nor requested to furnish information from his files, Rosenblatt refused to testify unless he could first make a statement explaining his position. Permission to do so was denied him, and he declared he would not respond to questions until he had had an opportunity to confer with Administrator Hugh S. Johnson, although promising the board that his files and information were available to it at any time. Rosenblatt is to be called upon again on Thursday, a day set by Chairman Darrow despite an explanation that the Code Authority was then to meet in New York.

Failing to get Rosenblatt on the stand, Mason called Russell Hardy, special assistant to the Attorney General in the anti-trust division of the Department of Justice, who was questioned regarding the film prosecutions of the department and its criticisms of the code submitted to the NRA during negotiation of the agreement. Three cases have been brought by the government, two of which resulted in consent decrees, he said, the third not being disposed of.

Chief Causes of Complaint

"The principal items of complaint received by the department," he continued, "were refusal on the part of the big producing companies to contract with the complainant for any pictures at all, refusal on the part of the big producing companies to contract with the complainant for a sufficient number of pictures, refusal on the part of the big producing companies to contract with the complainant for the right to have a first exhibition of a picture, refusal by the big producing companies to contract with the complainant for second or subsequent showings of a picture until after the lapse of an unreasonable length of time after exhibition by competitors, and refusal by the big producing companies to contract with the complainant for pictures unless theatre admission prices were raised or maintained at a point fixed by the big producing companies. Other complaints involved refusal to sell pictures except in groups, refusal to sell except for percentage instead of flat lump sum and overbuying by large competitors."

"Assume that the Code Authority is controlled by the big producers and that it permits the conditions to exist now which were alleged to exist in that bill (a case brought by the department) would that, if it were not for the protecting clause of the National Recovery Act, constitute monopolistic practices?" Mason asked.

"Yes," the witness answered.

Hardy was followed by Abram F. Myers, who said that no accurate figures were available as to the number of houses, which he placed at about 13,000, but declared that about 4,000 were owned, controlled by or affiliated with producers.

Myers went into detail as to the drafting of the code and the part played by the independents, declaring that at one meeting, after lengthy negotiation, Rosenblatt announced that he would present them with the exhibitors' code when they next met. No independent exhibitors participated in the drafting of that code, he declared, and, when asked what happened when the code was handed them, said: "We grabbed for it very eagerly." The producers, meeting in the same building at the time, he added, were not given copies "and apparently had no curiosity on the subject." He said he was "not charging monopolistic practices under the code but complaining that the code is designed to permit monopolies."

Need Fresh Product

Explaining the position of the exhibitors, Myers declared their most important property right now is adequate supply of fresh product, with public good-will second and actual theatre property third, pointing out that the property was of no value unless product was available.

Going into the question of booking, Myers declared no independent exhibitors buy other than in blocks, but that producer-owned theatres did not have to take blocks but could select their pictures. He discussed the right reserved by the producer to withdraw pictures and the cancellation privilege given exhibitors. In most instances, he said, when the exhibitor makes a contract, he does not know what he will get in the way of pictures, adding that the Patman bill now pending in Congress requires synopses of all pictures to be given exhibitors whereas "buying today is largely a pig in a poke."

Mason went deeply into the activities of the independent group during negotiation of the code, leading Myers to say that Nathan Burkan was present at the August exhibitor conference as attorney for Loew's and also sat in on some of the producers' conferences.

Reviews Indies' Stand

The witness explained that upon receipt of the first draft of the code, the representatives of the independent producers and exhibitors formed a temporary coalition and withdrew for the purpose of putting their position on paper "because they felt the situation was very serious and wanted to make a record." The meetings were not suspended because of this, he said, but the written objections were later presented to Rosenblatt. He then explained the mass meeting of independents in Chicago October 24 and the resolutions adopted and related how a committee conferred with Johnson.

"We filed another written statement of our objections and grievances and our criticism of the conduct of the deputy administrator and our statement that in our judgment he was absolutely biased and prejudiced against the independent interests," he said, adding that Johnson turned the matter over to Col. R. W. Lea, his executive assistant, and that two days later a statement was issued to the press declaring the charges of bias and prejudice to be unfounded. "But when the code was approved by the President it was accompanied by an executive order which contained some very wholesome safeguards against arbitrary use of the power that was conferred on the Code Authority."

"Were the provisions of the executive order adequate to the protection of the independent interests?" Mason asked.

"I do not say they were adequate," Myers returned, "but I do say they were very wholesome and very welcome."

"After the President signed this executive order was there at a later day an interpretation placed on the order?" he was asked.

"Yes, in my opinion it emasculated it."

Other Objections

Myers was led to outline the objections of the independents to the wage provisions of the code, the forcing of shorts, which, he declared, was not prohibited and which merely restricted the producer to require an exhibitor to take such shorts as the former held would be necessary to round out a program; the designation of play dates and the control of admissions.

The power to control admission prices is not expressed but is necessarily implied in the language of the code, he declared, but prohibiting an exhibitor from lowering his admissions beyond a figure which the distributor stipulates in the contract. "Such a provision may or may not be legal under the general law," he commented.

Abolition of block booking, he declared, would be advantageous to all. "I do not think the motion picture industry tries to make a poor picture," he admitted, "but there is not enough ability and genius to go round." The situation, he said, could be cured by an amendment to the anti-trust provisions of the Clayton Act controlling film contracts, as provided in the Patman bill.

Exhibitors Testify

Desiring to show the effect of producer competition upon independent theatres, Mason put on the stand E. Thornton Kelly, operator of the Grant Lee Theatre at Palisade, N. J., and William Biggio, owner of the Grant Theatre, Steubenville, O., who told how their ability to buy was reduced when producer-owned theatres were built in their areas.

Without explaining its relationship to the code, Mason had Kelly outline how he had received protests against the showing of his very first picture from producer theatres in New York which had no connection with the company making the picture in question. He also explained to the board the theory of protection which placed him some 10 weeks or more behind New York first showings.

Biggio told how he was first able to get all the product he needed and then found himself more and more restricted.

Hays Asserts Films Helped To End Slump

(Continued from page 1)

and kindly humor in its entertainment.

"Historians of the future will no ignore the interesting and significan fact," he continued, "that the movie literally laughed the big bad wolf o depression out of the public min through the protagonism of 'Thre Little Pigs.'"

Continuing in this optimistic vein Hays said theatre attendance ha gained with increased industrial activ ity and theatres had reopened. H described stars as the "direct sales men" of the industry and "industr as well as company assets." Wit this in mind he commended talen loaning strongly.

Discussing the industry's "goal, he said: "Better pictures are th answer to every unfair charge levele against the screen. They are the ir dustry's bulwark against unfair c confiscatory legislative proposal Screen entertainment is the screen best advocate; it is also proof ur deniable of every error of judgmer or taste that the industry makes. An no right-minded member of the ir dustry, producer, distributor or ex hibitor, can remain content until suc mistakes are reduced to the minimu and the individuals who continue t make them find no room in the indu try.

Can't Risk Public Faith

"We cannot afford to jeopardi public faith in our sincere and co tinued efforts constantly to impro the standard of film entertainmer In that we know we are succeedin Motion pictures are getting better a the time."

On the subject of picture improv ment he said the increasing numb of pictures based on literary classi and historical figures was a "signi cant phase of the industry's upwa progress." He also predicted mu cals would "have a new inning" a that simple stories dealing with ever day life would "revive in popularity

As a result of the establishment the Advertising Advisory Council, t report read, "advertising and publici is not only cleaner and in better ta than heretofore, but is better advert ing as well. It has lost nothing fr the standpoint of sales appeal; on t contrary, through the elimination objectionable features, it now attra many persons whom it formerly r pelled."

Officers were returned to their posts for the next year. Will Hays is president; Carl E. Millik secretary; Frederick L. Herron, tre urer, and George Borthwick, assi ant secretary and treasurer.

Directors are: Hal E. Roach, Ce B. De Mille, Jesse L. Lasky, S Lesser, David Sarnoff, Merlin Aylesworth, Robert H. Cochra Jack Cohn, Earl W. Hammons, W H. Hays, Frederick L. Herron, B. Kahane, Sidney R. Kent, Joseph Schenck, Nicholas M. Schenck, Alb L. and Harry M. Warner and Ado Zukor.

Roach replaced Al Christie.

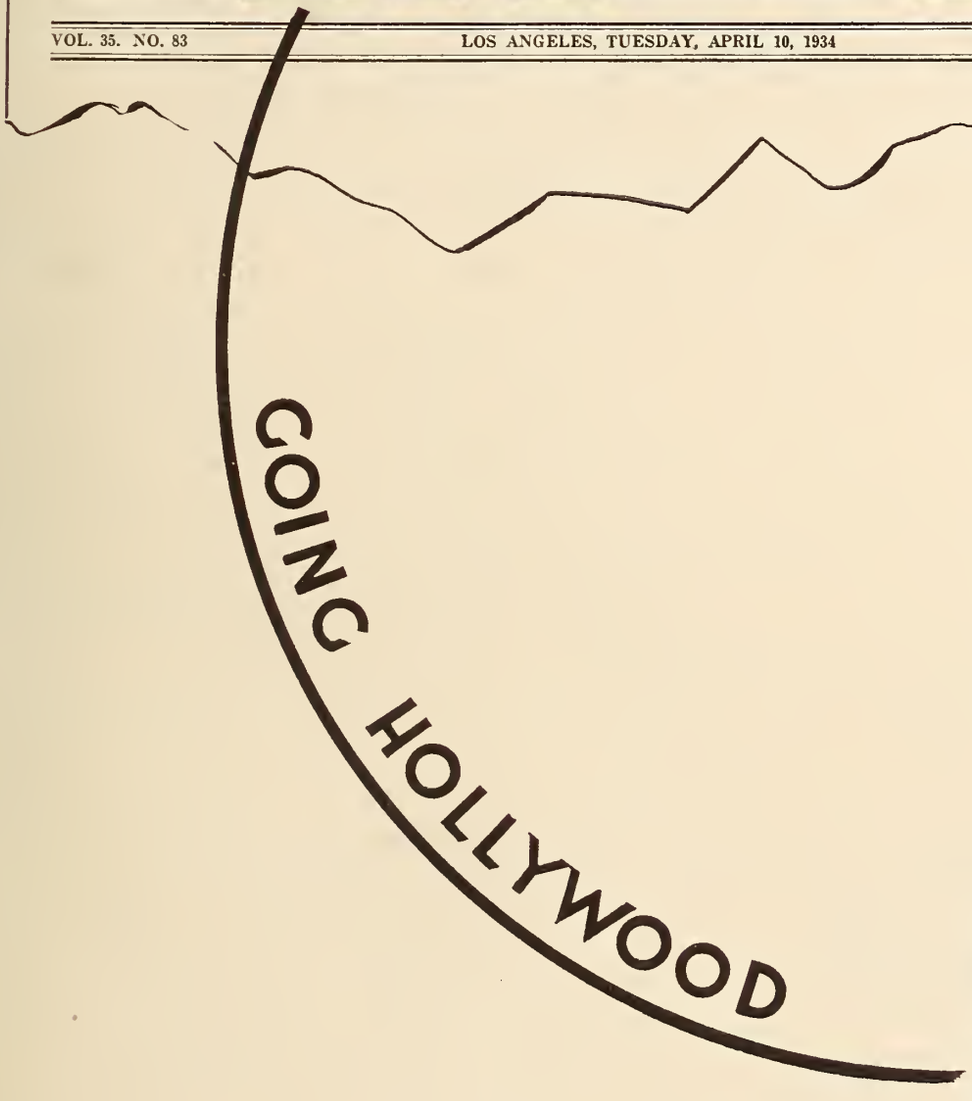
M.P.T.O.A. Convention Issue

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry In All Branches

VOL. 35. NO. 83 LOS ANGELES, TUESDAY, APRIL 10, 1934 TEN CENTS



Announcing:

The publication of three issues, dated April 10, 11, 12, right on the ground in Los Angeles during the life of the 14th annual convention of the M. P. T. O. A. and supplementing the regular appearance of *Motion Picture Daily* in New York each morning.

"Jimmy" Gets $8,000 Take, Philadelphia

PHILADELPHIA, March 26.—With the exception of "Jimmy the Gent," which took $8,000 at the Stanton, and "As the Earth Turns," which gave the Boyd $12,000, one of the house's best recent figures, the holdover films held the spotlight in Philadelphia last week.

"David Harum," playing its second week at the Fox, got a topnotch $15,000 and "Wonder Bar" drew a good $11,000 at the Stanley. Good weather through most of the week with spring peering in between cold days helped the general grosses.

Total first run business was $82,300. Average is $81,900.

Estimated takings for the week ending March 22:

"NANA" (U.A.)
ALDINE—(1,300), 40c-55c-65c, 6 days, 3rd week. **Gross:** $5,000. (Average, $7,000)

"ALL OF ME" (Para.) (2nd run)
ARCADIA—(600), 25c-40c-50c, 6 days. **Gross:** $2,200. (Average, $2,400)

"AS THE EARTH TURNS" (Warners)
BOYD — (2,400), 40c-55c-65c, 6 days. **Gross:** $12,000. (Average, $12,000)

"NO MORE WOMEN" (Para.)
EARLE—(2,000), 40c-55c-65c, 6 days. Stage: Singin' Sam, the Rimacs, Melson and Irmanette. **Gross:** $14,000. (Average, $12,000)

"DAVID HARUM" (Fox)
FOX—(3,000), 30c-40c-60c, 6 days, 2nd week. Stage: N. T. G. Paradise Revue and Johnny Marvin. **Gross:** $15,000. (Average, $12,000)

"FOUR FRIGHTENED PEOPLE" (Para.)
KARLTON—(1,000), 30c-40c-50c, 6 days. **Gross:** $3,300. (Average, $3,500)

"I BELIEVED IN YOU" (Fox) (2nd run)
KEITH'S—(2,000), 25c-35c-40c, 6 days. Stage: Ernie Vallee's Club Seville revue. **Gross:** $7,000. (Average, $7,000)

"WONDER BAR" (Warners)
STANLEY—(3,700), 40c-55c-65c, 6 days, 2nd week. **Gross:** $11,000. (Average, $12,000)

"JIMMY THE GENT" (Warners)
STANTON—(1,700), 30c-40c-50c, 6 days. **Gross:** $8,000. (Average $7,000)

"MURDER ON THE CAMPUS" (Chesterfield)
WALNUT — (1,500), 25c-50c, 6 days. "Parisian Fantasies" on the stage. **Gross:** $4,800. (Average, $5,000)

Cantor Sets a Record

PITTSBURGH, March 26.—An all-time daily attendance record for Pittsburgh was set last week at the Stanley by Eddie Cantor. He played to 18,333 paid customers in five shows. The previous mark was established only the week before by Joe Penner at the Penn when he attracted 17,500 customers. The 18,333 admissions represents only 300 short of the house's absolute capacity for five shows.

State, Hartford, Opens

HARTFORD, March 26.—The State, dark since last fall and not used for films for about a year, has been reopened by Davis and Goldbaum, a corporation operating houses in New York and New Jersey. Joseph Glassman, former manager of the Lenox and Rialto, second runs, is in charge. Vaudefilm programs, with changes thrice weekly, are planned.

Corder's Daughter Dies

CODY, Wyo., March 26.—Anna May, 17-year-old daughter of J. W. Corder, owner of the Cody theatre, died suddenly at their home here. Mr. and Mrs. Corder were called back from a vacation trip south.

Who? What? When?

Who are the appointees on code boards announced by Code Authority in New York?

More thumbnail sketches, gathered by MOTION PICTURE DAILY *correspondents, furnish the answer:*

Milwaukee

MILWAUKEE, March 26.—JOSEPH G. RHODE, impartial member on the Milwaukee clearance and zoning, was born here 59 years ago. His boyhood days were spent in Chicago and later in Kenosha, Wis., where he is in business at the present time.

In 1890, when Rhode was 15, his father built the Rhode Opera House in Kenosha. From that time on, and for 33 years after, Rhode was identified with the management of theatres, including legitimate, vaudeville and picture houses.

In 1908 to 1910 he served as secretary of the Middle West Theatre Managers' Ass'n, and acted as president of the Wisconsin Exhibitors' Ass'n in 1920-21. From 1921 to '24 Rhode was president of the M. P. T. O. of Wisconsin and in 1923-'24 a vice-president of the M. P. T. O. A.

It was in 1924 that he disposed of his theatre interests and became identified with the finance and discount business as president and manager of the Kenosha Citizens' Loan & Investment Co., with which firm he is still connected. He has also served as president of the Wisconsin Ass'n of Character Loan Companies and still holds an official position in that organization.

Rhode has been active in Kenosha civic affairs, having served on the board of aldermen, police and fire commissions and in other local activities.

New Haven

NEW HAVEN, March 26.—WESLEY A. STURGES, impartial member on the New Haven grievance board, was born in 1893 and was educated at the University of Vermont, where he earned his Ph.B. degree in 1915, at the Columbia Law School, where he was given his LL.B. in 1919, and at the Yale School of Law, from which he graduated with a J.D. in 1923. He has taught in law schools of the University of South Dakota and Minnesota and has been a professor of law at Yale since 1925.

In the field of writing, Professor Sturges has been active and has to his credit "Treatises on Commercial Arbitration and Awards," "Cases and Material on Credit Transactions," "Cases and Materials on Administration of Debtors' Estates," was American collaborator on "The International Year Book on Commercial Arbitration" (Berlin, Nussbaum, editor-in-chief) and author of a number of articles in legal and other periodicals.

In the field of public service, Professor Sturges likewise has been active. He is a member of the Connecticut Commission on Pensions and Annuities for Public Employes, special assistant to the general counsel of the A. A. A., and a member of bankruptcy committee of the Chamber of Commerce of the United States; a member of the commercial arbitration committee of the Connecticut Chamber of Commerce and a member of the committee on national legislation of the New Haven Chamber of Commerce.

On several occasions, he has arbitrated disputes in the amusement industry, Actors' Equity versus the M. P. T. O. A. being one of the most involved in this direction.

Hartford May Open Sunday Afternoons

HARTFORD, March 26.—Sunday afternoon films may be legalized at tonight's meeting of the board of aldermen. At a hearing before ordinance committee last week all theatre managers, a representative of the Better Films Council and several leading citizens were unopposed in their arguments for afternoon programs on the Sabbath. Within the past two months Sunday afternoon shows have been legalized in New Britain and Willimantic.

The proposed ordinance amendment would allow theatres to open at 2 P. M., rather than 5 P. M., the present regulation, "providing there be no advance in prices over week day prices." Theatre men have protested this clause on the ground that higher evening rates on Sunday would "bring them out of the red."

More Acts for Oklahoma

OKLAHOMA CITY, March 26.—Support of the opening bill at Warners has convinced Pat McGee, Standard theatres general manager, that there is a demand for stage shows here. Two more have been scheduled. This town had been without stage attractions for two years.

Union in Milwaukee Reports 75 Get Jobs

MILWAUKEE, March 26.—Seventy-five union operators have returned to work in Milwaukee in recent months through agreements that have transferred 28 local houses from non-union to union ranks, according to O. E. Olson, business manager of Local 164. Only two of the 79 local houses remain non-union, it was stated.

According to Olson, there are now 190 operators employed in local houses as against 115 last spring. Wages under the present contract, which expires August 31, range from $26.25 in the small neighborhood houses to $62.16 in Class 1 houses for a 36-hour week.

Push Work on Alvin

PITTSBURGH, March 26.—Construction is being pushed on the Alvin and the Harris Amusement Co. expects to have it ready to open by April 1, four months behind schedule. The house, former home of Shubert legitimate shows, is being remodeled and will seat 2,100 when completed. It has been intimated the Alvin will have pictures and unit shows. For films, it will have to depend on a split of the Fox product and independents.

"Wonder Bar" Off to Good Coast Start

LOS ANGELES, March 26.—"Wonder Bar" got off to a flying start at Warners Hollywood and Downtown, piling up a total of $40,000 for the two houses. At the former it was $8,000 over normal and at the latter $4,000.

"Come On Marines" with Ben Bernie and his band on the stage grabbed the other high money of the week. The $21,325 take topped average by $3,325. All the other first runs suffered under the heavy competition.

Total first run business was $94,581. Average is $95,450.

Estimated takings for the week ending March 21:

"QUEEN CHRISTINA" (M-G-M)
CHINESE—(2,500), 50c-$1.10, 3 days. (6th week.) Sid Grauman prologue. **Gross:** $7,806. (Average, $14,000.)

"DAWN" (Col.)
FILMARTE—(800), 40c-50c, 7 days. **Gross:** $1,800. (Average, $2,650.)

"GEORGE WHITE'S SCANDALS" (Fox)
LOEW'S STATE—(2,413), 30c-55c, 7 days. **Gross:** $10,050. (Average, $14,000.)

"COME ON MARINES" (Para.)
PARAMOUNT—(3,595), 30c-55c, 7 days. Stage: Ben Bernie and his orchestra, F. & M. revue. **Gross:** $21,325. (Average, $18,000.)

"IT HAPPENED ONE NIGHT" (Col.)
RKO—(2,700), 25c-40c, 7 days. (3rd week). **Gross:** $6,100. (Average, $8,000.)

"PALOOKA" (U. A.)
UNITED ARTISTS—(2,100), 25c-40c, 7 days. **Gross:** $7,500. (Average, $12,800.)

"WONDER BAR" (F. N.)
WARNER BROS. (Hollywood)—(3,000), 25c-55c, 7 days. **Gross:** $22,000. (Average, $14,000.)

"WONDER BAR" (F. N.)
WARNER BROS. (Downtown)—(3,400), 25c-55c, 7 days. **Gross:** $18,000. (Average, $12,000.)

Variety Club Goes on Air

COLUMBUS, March 26.—The local Variety Club, known as Tent No. 2, made its debut on the air over WAIU, local station, for a 15-minute program Friday night, under the head of "Drama Sketches." All material was written and presented by local "barkers."

"One Night" Sets Record

CLEVELAND, March 26.—"It Happened One Night" established a local second run record by playing Keith's East 105th St. for 25 consecutive days. This followed a week's run at the RKO Palace, making a consecutive run of 28 days.

Harris to Cleveland

CLEVELAND, March 26.—Milton Harris of St. Louis succeeds Ralph Ravenscroft as publicity manager for Loew's theatres in this city. Ravenscroft has gone to the Coast.

Weekly Shows Planned

CLEVELAND, March 26.—The local Variety Club has arranged to hold regular Saturday night cabaret shows for its members and guests, starting at 10 P. M.

Rename Baltimore Paper

BALTIMORE, March 26.—Under the new Hearst control the *Baltimore Post* will be published as the *Baltimore News and Post.*

Some Code Boards Get Work Started

(Continued from page 1)

zoning board was named to arrange for permanent quarters in a convenient downtown office building. A budget was compiled for submission to Code Authority.

Mrs. Alice M. Juergens, secretary of the Film Board, was unanimously recommended by the board for the position of joint secretary.

CHICAGO, March 26.—Local boards start functioning tomorrow when the grievance and clearance and zoning members hold a joint meeting for the purpose of naming chairmen and considering recommendations for secretarial posts.

BUFFALO, March 26.—Organization of the grievance and zoning and clearance boards is expected this week at an informal joint meeting. Sidney Samson, Fox exchange manager and A. Charles Hayman, managing director of the Lafayette, are temporary chairmen of the grievance and zoning boards, respectively.

CLEVELAND, March 26.—The local grievance and clearance and zoning boards will hold a joint meeting in the very near future. J. E. Fontaine, affiliated distributor representative on the grievance board and John Heubner of Marion, unaffiliated first run exhibitor on the zoning and clearance board, have been notified by Code Authority to call a meeting as soon as the members of both boards have been sworn in.

Joint informal meetings of clearance and zoning and grievance boards were held yesterday in Dallas and Atlanta. The Washington boards meet today. Purpose of the meetings is to get board personnel familiar with provisions of the code and to schedule the initial formal meeting to start the boards functioning.

Three Forms Printed For Grievance Files

(Continued from page 1)

cover complaints under Article 6, Part 2, Section 1 of the code.

The second will be a blue form and will cover grievances under Article 6, Part 2, Section 4.

The third will be a pink form and will include protests dealing with non-theatricals, refusal of fair adjustment, designation of percentage playdates, reduced admissions, theatre transfers and premature advertising.

All grievances must be filed in triplicate with local boards.

Elliott Repeats Refusal

CINCINNATI, March 26.—John B. Elliott of Lexington, Ky., grievance board member, today repeated his refusal to serve, although it is understood he has not submitted a formal resignation. Members of the local board are asking Code Authority to appoint a substitute immediately to facilitate functioning of the board.

Emanuel Cohen Here

Emanuel Cohen, vice-president in charge of Paramount production, is in town from the coast to discuss next season's lineup.

"Scandals," "Harum" and "Christina" Going Strong

(Continued from page 1)

a big draw, but it fell down in Providence and dropped off in its second week at Chicago. In Indianapolis it was held for a fourth week.

"David Harum" was the only big grosser in Kansas City in spite of the fact that it was in its second week. The take of $6,000 was 100 per cent over the Uptown average. "Jimmy, the Gent" and "She Made Her Bed" were the only other business getters.

Detroit had one of the best weeks in months with a total first run gross of $79,000.

Providence fans shied away from the big-shot pictures last week. "Bolero" and "His Double Life," a dual at the Paramount, was away off at $4,000, "Midnight" was also pretty weak at Fay's with $6,000, "David Harum" and "This Mad Age" was $1,000 under par with $6,000 at the Majestic, and "Catherine the Great" was the biggest disappointment of all, getting only $10,500 at Loew's State.

"Scandals" Big

"George White's Scandals" bowled the cashiers over with a smash $11,000 at Warners' Hippodrome, Cleveland. Normal for the house is $5,000. "Coming Out Party," with Buddy Rogers on the stage at the RKO Palace, was the other big draw of the week. The take was $19,000. "Six of a Kind" and "The Gay Detective" took a satisfactory $4,200 at Loew's Stillman. "Queen Christina" was weak with $8,500 at Loew's State, and a dual, "Devil Tiger" and "Dancing Man," had a weak $2,000 at Warners' Lake.

Montreal piled $11,000 into the Capitol box-office. This is $3,000 up. Lent held grosses down elsewhere. "As Husbands Go" was par at $10,500 at Loew's with a strong stage show.

Business was good in most of the Minneapolis and St. Paul first runs. Above average draws in Minneapolis were: "As the Earth Turns," Minnesota, $8,000; "Mandalay," RKO Orpheum, $6,000; "Good Dame," State, $6,000. Two others, "Devil Tiger," Lyric, $1,500, and "Comrades of 1918," World, $2,000, were par. In St. Paul "The Private Life of Henry VIII" was the big money-maker of the week with $2,500 at the 300-seat World." Three others were average as follows: "Bolero," Paramount, $5,500; "Palooka," Riviera, $3,500, and "Devil Tiger," Tower, $1,500.

"George White's Scandals" took top money in Oklahoma City, $4,400, at the Midwest. "Death Takes a Holiday" had a fair $4,700 at the Criterion. "Hips, Hips, Hooray" was also a bit off with $2,200 at the Capitol. "Dark Hazard" and "Heat Lightning," splitting the week at the Liberty, garnered $2,100, over average by $100.

Boston went for "George White's Scandals" with a rush. Helped by the "Hodge Podge Revue" on the Metropolitan stage, the Fox musical went to $34,000, over par by $6,000. "Queen Christina" was $5,000 up with a $21,000 take at Loew's State. "David Harum" also was a hit at Keith's, the $22,000 gross being $6,000 over the regular take.

Seattle's two strongest attractions were "It Happened One Night," with $5,000 at the Liberty, and "Nana," with $4,750 at the Music Box. "Fashions of 1934" took a weak $3,500 in five days at the Fifth Avenue. "Jimmy, the Gent" fared badly with $3,750 at the Blue Mouse, and two other dull spots were the Orpheum, with "Search for Beauty" and "Devil Tiger," $4,500, and the Paramount, with "This Side of Heaven," $5,250.

"David Harum" continued to be an Indianapolis sensation. The third-week take at the Apollo was $4,000 and it was held for a fourth stanza. "Death Takes a Holiday" grabbed a fine $4,500 at the Circle. "Love Birds," with a vaudeville bill, reached a par $6,000 at the Lyric.

Chicago's prize attraction was "It Happened One Night" and a vaudeville bill at the Chicago, where the $38,000 take topped par by $3,400. "David Harum" fell off to $8,000 in its second week at the McVickers. The other four first runs were weak. The record was: "Palooka," United Artists, $8,500; "Search for Beauty," Palace, $18,000; "Jimmy, the Gent," Roosevelt, $7,000; "Long Lost Father," State-Lake, $12,500.

"David Harum" was the biggest film draw in Pittsburgh, grabbing $8,500, up by $4,500, at the Fulton, but big money honors went to "The Poor Rich" on the Stanley screen.

Howard, Goldsmith Up for Wage Board

(Continued from page 1)

theatres, but never got anywhere. Rosenblatt was asked to step in and recently announced he would appoint a special committee to handle the matter.

Howard is of the Scripps-Howard organization, publishers of the *New York World-Telegram*, which some time ago agitated against Local 306 under the Sam Kaplan regime. However, the paper's attitude has changed under the leadership of Harry Sherman in the union.

Goldsmith was at one time associated with RCA as vice-president in charge of engineering. He also has been active in the affairs of the S.M.P.E.

Milwaukee Doubles Spurt Despite Ban

(Continued from page 1)

with reports about that the practice will become more prevalent within the next month or so.

In the state the dual policy continues strong with all houses in Kenosha, both independents and affiliated, playing double features. The practice is also being carried on in varied degrees in Madison, Racine, Green Bay, Marinette, Sheboygan, Beloit, Oshkosh and Fond du Lac, some theatres in some of these spots billing the duals daily.



Smoke in His Eyes

...and a swell idea in his head: He'll go to the M.P.T.O.A. Convention ... find out for himself what this code business is all about...and settle a lot of other things that have been worrying him.

14th Annual Convention M·P·T·O·A HOTEL AMBASSADOR Los Angeles California APRIL 10·11·12

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Viva Villa"

(M-G-M)

HOLLYWOOD, March 26.—"Viva Villa" is a great picture, a big picture, a mighty screen entertainment sweeping powerfully across humanity's heartstrings.

Auspiciously born out of nerve-racking production travail, in inspired scenes it records the saga of a man of the masses and, in a Homeric portrait, encompasses Pancho Villa, hero and a human being.

Like the "Marseillaise" rousing the emotions, it reveals the birth of Mexico amid a cavalcade of stirring climaxes.

Spun from the fiction of truth, it thrillingly rides the meteoric parade of Pancho as a boy and Villa (Wally Beery) as a man. It shows him as the bandit chief, aided by the jovial killer (Leo Carrillo), loved by his mad peons, pillaging, killing aristocrats, loving song, wanting to marry every pretty face and wrangling with his love-note scrivener (George Stone). It visualizes his affection for a little fellow, Madero (Henry B. Walthall), his palship with an American reporter (Stuart Erwin), for whom he captures two towns against the orders of his superior (Joseph Schildkraut) because his newspaper had previously printed the scoop.

Exiled and humiliated, Villa returns after Madero's murder, assaults Mexico City with his tattered peons singing "Cacaracha," their revolutionary anthem, and, victorious, avenges the killers of his father and the ravagers of his sister. Inaugurated, he flops as president, resigns, is assassinated, and in a butcher shop, dying, requests Erwin to give him some good last words to say.

Ringing throughout the raging expanse is the heart cry of an oppressed people thumping in rhythmic crescendo and galloping like an army of Paul Reveres across the countryside.

Lusty and vigorous, salted with humor and flavored with romantic ardor, Villa's glamorous spectacle tingles with continuous excitement.

Beery's Villa is an unforgettable conception. The entire cast is made of splendid selections and performs admirably and humanly. Jack Conway's direction rushes him into the spotlight of accomplishment.

Ben Hecht's screenplay from the book, with suggestions by Eugene Pinchon and O. B. Stade, is a monumental achievement. All the contributing departments of the studiocrafts rate decorations. David O. Selznick, the producer, may well thrill with pride; the laurels are his.

"Viva Villa" is giant showmanship for tremendous popular reception, and with another current road show, may well mark the rebirth of box-office, as well as win Mexico's everlasting friendship.

"Manhattan Love Song"

(Monogram)

HOLLYWOOD, March 26.—Nicely produced, with timely story and sets in keeping, "Manhattan Love Song"—not a musical—is an acceptable programmer.

The yarn deals with two society girls forced to go to work and servants who go to society.

Two orphan sisters, Dixie Lee and Helen Flint, daughters of Park Avenue, are left penniless. Owing their servants back salary, they permit them to use the spare room as paying guests, thinking that the servants would then serve free of charge. However, Bob Armstrong, chauffeur, and Nydia Westman, cook, refuse to serve, turn the table on their employers and refuse to feed them unless they work.

Armstrong, who uses the Rolls Royce as a sightseeing vehicle, secures Pancake Annie of Nevada (Cecil Cunningham) and her son, Phineas (Harold Waldridge), as passengers. They want to view New York, meet society and see some horses. Armstrong arranges a socialite tea for Pancake Annie and her boy, which merry mixup results in the engagement of Phineas to the cook, establishes Dixie Lee's romantic feelings for Robert Armstrong, and points the way for the marriage of Helen Flint with Franklin Pangborn.

Dixie Lee, wife of Bing Crosby, is attractive, and with Robert Armstrong stands out in the cast, together with Herman Bing.

Direction by Leonard Fields is in slow tempo.

Ed. Rowland Dies

HOLLYWOOD, March 26.—Edward W. Rowland, 67, for many years head of the Hollywood Playhouse, died at his home here today from a heart attack. He is survived by a son, Edward W. Rowland, Jr., of New York.

Shreveport Bans Contests

SHREVEPORT, LA., March 26.—The Shreveport City Council has unanimously passed an ordinance forbidding marathon dances and walkathons. Fines ranging from $10 to $50 and imprisonment of not more than 10 days are provided for violations.

Looking 'Em Over

"Ever Since Eve"

(Fox)

"Ever Since Eve" makes the grade as generally good entertainment primarily on the strength of its humor. The plot has quite a familiar ring to it, but it is unfurled with such a grand sense of fun that whatever faults the film may have can be overlooked.

George O'Brien, owner of a mine in Nevada, is sent to New York to buy new machinery by Russell Simpson and Roger Imhof, two old gents, women haters, who have brought him up. Herbert Mundin is delegated to go along as chaperone. Despite Mundin's vigilance, O'Brien falls in love with Mary Brian, an extremely modern young thing, and marries her. Upon the discovery that his money has influenced her in marrying him, his affection cools. The gang back in Nevada, though at first displeased at his having gotten himself tangled up with a woman, soon develops a deep liking for Miss Brian. When O'Brien quits her, his pals move heaven and earth to locate him, but with no success. While he is away a baby arrives. At his return everything is smoothed out, to the rejoicing of everyone.

The cast apparently had a grand time making "Ever Since Eve." The players romp through the whole thing with considerable zest. Much is due Mundin for making the film so amusing. George Meeker and Betty Blythe are also in the cast. Direction is by George Marshall.

"Speed Wings"

(Columbia)

A fast-paced, actionful thriller that should please the Tim McCoy rooters no end. The roar of airplane motors and the sight of planes streaking through the air will make this film particularly welcome to the young folk. As if this were not enough, the producers have thrown in a couple of fistic encounters between McCoy and those who are trying to foil his plans to build a record-breaking airplane engine.

The film begins to gather momentum when McCoy catches a henchman of a rival plane builder on the point of stealing the plans. The intruder gets a lovely walloping, and from then on the villainy gets blacker and blacker. When McCoy finds his plans gone, he suspects Evalyn Knapp of giving the combination to the safe to his rival, whose niece she happens to be. On the eve of the big race of the year Miss Knapp is cleared of suspicion when McCoy surprises one of his assistants at the telephone speaking with his competitor. William Bakewell, associate of McCoy, in love with Miss Knapp, has had his nerve broken by the death of a chum in a crack-up. As is to be expected, he picks himself together and comes through the winner of the race.

The acting is competent and the air scenes have been extremely well done. Other players are Vincent Sherman, Hooper Atchley, Ben Hewlett and Jack Long. Otto Brower is credited with the direction.

Hyams Take Another

LONDON, March 26.—Phil and Syd Hyams have taken over the Regal at Edmonton, a suburb of London. This places them in direct opposition to Sydney Bernstein in that suburb.

Reeves Finishes Short

The Reeves Sound Studios have just completed synchronizing a short titled "The Yemenite Jew in Palestine" for A. Gabli Pictures.

Opportunity Desired with Major Producer

New York attorney thoroughly experienced in legal business and negotiations in conjunction with production department, associated with and handled important motion picture transactions and accomplished things in this industry; also admitted to the California bar and practiced in that state. Seeks an opportunity with production department of major company in studios at West Coast to handle company business in conjunction with home office. Want opportunity of studying and acquiring the production knowledge of business. Highest references.

Box RAS, MOTION PICTURE DAILY

1790 Broadway New York, N. Y.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 35. NO. 72 NEW YORK, WEDNESDAY, MARCH 28, 1934 TEN CENTS

Para.-Publix Asks for End Of Bankruptcy

Move Is Court Formality With Action Later

Complying with a legal technicality to permit a reorganization of the company some time this year, Paramount Publix yesterday filed a petition in U. S. District Court here asking that the company be discharged from bankruptcy.

The bankruptcy law requires that such a petition be filed within one year after a company has been adjudicated a bankrupt in order to make it eligible for reorganization during the following year. Paramount filed its petition in bankruptcy March 14, 1933, but the petition remained under

(Continued on page 4)

Para.'s Entire 60 To Be Ready May 15

Paramount's entire 60 pictures on the 1933-34 schedule will be cleared away by May 15, Emanuel Cohen, production head, who is here from the Coast for conferences on next season's schedule, said yesterday. On that date all facilities of the studio will be ready for the new season's program, Cohen said.

Currently, there are eight pictures

(Continued on page 4)

Two Loew Cleveland Houses Go to Duals

CLEVELAND, March 27. — Effective April 6, Loew's Granada, ace West Side house, and the Alhambra, subsequent run East Side house, go into a

(Continued on page 4)

Toronto Needs Sleep

Toronto, March 27.—A moral uplift wave has again struck Toronto with the result that the lid is being clamped down by the municipal authorities. Civic officials have now got it into their heads that midnight shows at theatres are immoral because they keep the natives up late nights.

The city has applied to the Ontario Government for authority to prohibit the holding of late shows for any purpose so that the people will have to go to bed for the want of something else to do.

Four Circuits Here Seeking Board Places

Only Two Allotted Under Provisions of Code

Four local circuits are fighting for a place on the New York clearance and zoning board, with only two spots allotted them under code provisions. Circuit representatives seeking posts on the board are said to be Charles C. Moskowitz of Loew's, Leslie E. Thompson of RKO, Don Jacocks of Warners and George Skouras of Skouras theatres.

According to the tentative lists originally set up, Moskowitz was down as first run affiliated exhibitor for the New York clearance and zoning board, while Skouras and Jacocks were men-

(Continued on page 4)

MPTOA Picks Seven Convention Groups

Seven standing committees were appointed yesterday for the M. P. T. O. A. annual convention on the Coast, April 9-12. They comprise grievances, NRA code-trade practices, NRA labor provisions, resolutions, legislation and taxes, public relations and community affairs and credentials and rules. Represented on these committees are the-

(Continued on page 9)

Censor Moves Worry Canada Distributors

TORONTO, March 27.—On top of the news that Canada's tiny Atlantic Seaboard Province of Prince Edward Island is considering a proposal for the creation of a film censor board because someone complained of the moral tone of "Henry VIII," comes the information that the Government of Saskatchewan wants to have its censor board at Regina, Sask.

At present the Saskatchewan cen-

(Continued on page 9)

New Theatre Union Talks Are Resumed

Meetings with New York circuit representatives over recognition of Local 118, Theatre and Amusement Employes Union, were resumed yesterday before Mrs. Elinore M. Herrick at the NRA Regional Labor Board here. Representatives of Loew's attended yesterday's session. Other circuits will be summoned at meetings to be held later.

The labor board declined to issue any statement yesterday.

Darrow to Campi

All members of Code Authority yesterday received the following wire from Clarence Darrow, chairman of the National Recovery Review Board, requesting their appearance in Washington tomorrow.

"National Recovery Review Board requests your attendance at a hearing adjourned for the purpose of obtaining your presence Thursday, March 29 at 10, Willard Hotel, Washington. We desire your testimony with reference to practices of the motion picture industry."

Board Quiz Hangs On "C.A." Presence

WASHINGTON, March 27.—Further investigation of the code situation by the National Recovery Review Board tonight depended upon the appearance here Thursday of the members of the Code Authority, yesterday asked by Lowell Mason, counsel for the board, to come to Washington for questioning.

Requests to appear at the Thursday hearing were today sent by the board to the sales managers of eight pro-

(Continued on page 4)

Delaware Censorship Opponents Lined Up

WILMINGTON, March 27.—Representatives of the Hays office, Loew's, Inc., and the Independent M.P.T.O. of Delaware and the Eastern Shore of Maryland will put up a united front against the proposed censorship bill at a hearing to be held this week at Dover.

George A. Jones, manager of

(Continued on page 9)

Vitaphone vs. Erpi Suit in a New Move

WILMINGTON, March 27. — Vitaphone filed a replication here today in its royalties action against Erpi, contending that allegations in its bill of complaint are true and that allegations in the defendant's plea that the state courts cannot assume jurisdiction

(Continued on page 4)

Actors' Federation To Receive Charter

An American Federation of Labor charter will be presented tonight to the American Federation of Actors at 11 o'clock. The presentation will be made by Paul Dulzell, international secretary of the Associated Actors

(Continued on page 4)

Campi to Map Review Board Policy Today

Government Body Lacks Power to Subpoena

Members of Campi—Code Authority of the M. P. Industry—will determine today their course of procedure in reply to telegrams received from Clarence Darrow of the National Recovery Review Board asking their appearance in Washington tomorrow to discuss the code.

The question was discussed informally but at length when it was determined to further air the matter with counsel of the various companies represented on Campi before adopting a course to be followed. It was pointed out that the broadness of the Darrow request constituted a situation

(Continued on page 4)

Sales Executives Not Notified Yet

Sales executives of leading companies, with the exception of George J. Schaefer of Paramount, who, according to Washington advices, are also wanted to testify before the Review Board at tomorrow's hearing, had not received requests to appear up to late yesterday. Schaefer's summons was addressed to him as a mem-

(Continued on page 4)

Labor Arbitration Up for Discussion

WASHINGTON, D. C., March 27.—Proposals for the incorporation of clauses providing for the arbitration of all labor controversies, including those involving stage hands and musicians, are expected to be the subject of major importance tomorrow at

(Continued on page 4)

Biggest Tub Yet

Hollywood, March 27.—Cecil B. DeMille's bathtub scenes are getting bigger and better. In "Cleopatra" the tub will be 100 ft. by 150 ft.—co-ed style, with Roman gentlemen and ladies. The scenes have just been filmed secretly, according to the publicity department, so the bathers wouldn't be "embarassed."

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Jobless IATSE Men Getting Free Meals

CHICAGO, March 27.—This city has a new form of help for unemployed stagehands—a restaurant started by George Brown, head of the I.A.T.S.E., in which members can get three meals a day free of charge without embarrassment.

Working members of the union buy tickets good for meals at the restaurant and those not working get them free. Only Brown knows who has paid for them and who hasn't, and it is said that 36,000 free meals have been served during the first six months.

Meals are 35 cents each and the restaurant is self-supporting.

"U" Adds Two Classics

HOLLYWOOD, March 27.—Universal has added two classics to its next season's list—"Swiss Family Robinson," written by Johann David Wyss in 1813, and "School for Scandal," Sheridan's famous drama, first presented in 1777.

The company has also taken up an option on "One More River," John Galsworthy's last novel.

Hothersall-Neidig Wed

Edna Hothersall and Fred J. Neidig of MOTION PICTURE DAILY today will be married at the Brick Presbyterian Church. After a short honeymoon, they will reside in New York.

To Conduct Roxy Poll

Audiences at the Roxy will be polled next week to determine reaction of patrons in a revival of "All Quiet on the Western Front."

Insiders' Outlook

MOST persistent are those reports Warners contemplate a theatre shift in Philadelphia, its strongest zone; that is, numerically. Joe Bernhard says he's well satisfied. Candidates whose names are linked by rumor with rumblings of changes are (1) Sol Hankin, formerly a Warner zone manager in Wisconsin before Dave Weshner went in and (2) Herschel Stuart, long with Publix and RKO. There it is, for time to dispose. . . .

▼

Los Angeles got a thrill of excitement the other day when the rumor was afloat the Skourases were out of Fox West Coast management and Herman Wobber, Fox head man in the west on all matters aside from production, was in with Jack Sullivan as general manager. Says Sidney Kent: "It's as crazy a rumor as ever I heard." Nothing but secrecy around those marathon conferences in New York on FWC reorganization what with Charlie Skouras, the receivers, the bankers and Kent sitting in. . . .

▼

Kansas City flash: "Elysia" will be held over at the Publix Royal another week because the management "figures that it would be more advantageous than running in a new picture for Holy Week." "Elysia," a nude picture very nude, for Holy Week! There's a booking for you. . . . Differences in opinion and procedure between the NRA and NRRB over code matters find the film business in the middle. But that's happened before, hasn't it? . . .

▼

Walter Reade, having noticed the best of everything in Hollywood gets an Academy statuette, is in the ring for one of the awards. He says he has outdistanced all competitors in sitting through punk pictures. . . . Mort Shea still running the Brooklyn Paramount? You're screwy, says Paramount to *The Insider* and continues: "Fact Bill Raynor continues there is not because Shea is in, but because Raynor is the man for the job." . . .

▼

April 7 draws near and with it General Johnson's deadline on the Hollywood report, the dope for which Sol Rosenblatt went west recently. That should make an extremely interesting document. Coincidence: Paramount has its Bob Gillham, publicity and advertising chief. Kansas City has its Gillham theatre. . . . Strange how those stories about N. L. Nathanson and his reported control of Famous Players Canadian will persist. . . . Watch the first page tomorrow. It's going to sizzle. . . .

KANN

Roxy Plans Benefit Show

A benefit performance will be given at the Roxy on April 6 for the Foster Home Department of the Children's Aid Society. "The Constant Nymph" will be current during the week.

Harry Cohn East

HOLLYWOOD, March 27.—Harry Cohn, Columbia president, plans to leave here for New York, April 4, to confer with Jack Cohn, vice-president, on new season production plans.

Stocks on Big Board Recede

	High	Low	Close	Net Change	Sales
Columbia Pictures vtc	25⅞	25¾	25⅞	—1⅞	300
Consolidated Film Industries	4½	4⅜	4⅜	— ½	500
Consolidated Film. Ind. pfd	15½	14¾	15½	—1	700
Eastman Kodak	86½	85¼	86	—2	700
Eastman Kodak pfd	132	132	132	—1½	10
Fox Film "A"	15⅛	14¼	14⅝	— ⅝	1,200
Loew's Inc.	30⅛	30¼	30½	—1⅛	12,400
M-G-M pfd.	24½	24½	24½	+ ⅛	300
Paramount cts.	4⅝	4½	4⅝	— ¼	13,500
Pathe Exchange	3	2⅞	2⅞	— ¼	6,900
Pathe Exchange "A"	17¾	16¾	17¼	— ¾	2,500
RKO	3¼	3⅛	3⅛	— ⅛	4,000
Universal Pictures pfd	32⅝	32	32	—3⅞	20
Warner Bros.	6⅜	6	6⅜	— ½	8,800

Technicolor Down ⅞ on Curb

	High	Low	Close	Net Change	Sales
Sentry Safety Control	⅜	⅜	⅜	.....	100
Technicolor	8¼	7⅝	7⅝	— ⅞	1,000
Trans Lux	2	2	2	— ¼	200

Pathe Bonds Slump 1¾ Points

	High	Low	Close	Net Change	Sales
General Theatre Equip. 6s '40	9½	9	9	— ¾	25
Keith, B. F., 6s '46	65⅛	64⅛	64⅛	+ ⅝	10
Loew's 6s '41 ww deb. rights	98	98	98	— ½	2
Paramount Publix 5½s, '50	49⅜	49	49	— ⅞	16
Pathe 7s '37 ww	91½	91	91	—1¾	4
Warner Bros. 6s '39 wd	54½	53¾	54	—1	31

Purely Personal

SAM H. HARRIS will arrive in New York Friday from the coast to attend the joint testimonial dinner with his former partner, GEORGE M. COHAN, to be given by the Jewish Theatrical Guild at the Astor April 8.

CLARK ROBINSON, stage designer, who was associated with Roxy for years at the Capitol and the RKO Music Hall, has been signed by the Paramount.

JOHN W. HICKS was due in yesterday on the *Olympic*, but the fog tied things up in the harbor so tight that he won't reach his Paramount offices until today.

HARRIETTE ASHBROOK'S "Murder of Stephen Kester" has been sold to Chesterfield. It probably will be filmed under the title, "Green Eyes."

HOWARD CULLMAN has invited MAYOR LAGUARDIA to talk before Roxy patrons on the New York City economy bill and taxicab situation.

JIMMY DURANTE will be host to 500 pupils of P.S. 1, his Alma Mater, it is said, at the Capitol this afternoon.

IRENE DUNNE arrives in town today on her usual between picture vacation with her husband.

JACK WARNER will take a party of his friends for a three-day cruise starting Friday.

BARBARA BRANDT has been added to the cast of "Frankie and Johnnie."

GEORGE BROWN left for Washington yesterday and returns here Monday.

ESTELLE TAYLOR is at the Warwick.

Buckley to Cleveland

Harry D. Buckley leaves for Cleveland tomorrow to witness the opening of "The House of Rothschild" at the Ohio. Monroe Greenthal leaves today for Boston where the picture opens Saturday at the Majestic. Buckley will also be on hand for the Beantown premiere.

On April 17, the U.A. film opens at Gary, San Francisco, with Harry Brand of the studio publicity force and Bob Doman of the United Artists theatre in San Francisco handling the debut.

Hazel Flynn to M. H.

Hazel Flynn, former motion picture editor of the *Chicago Evening American* under the name of "Rob Reel," joins the Music Hall publicity department this week-end, succeeding George Gerhard, who resigned recently. Gerhard's plans are undecided.

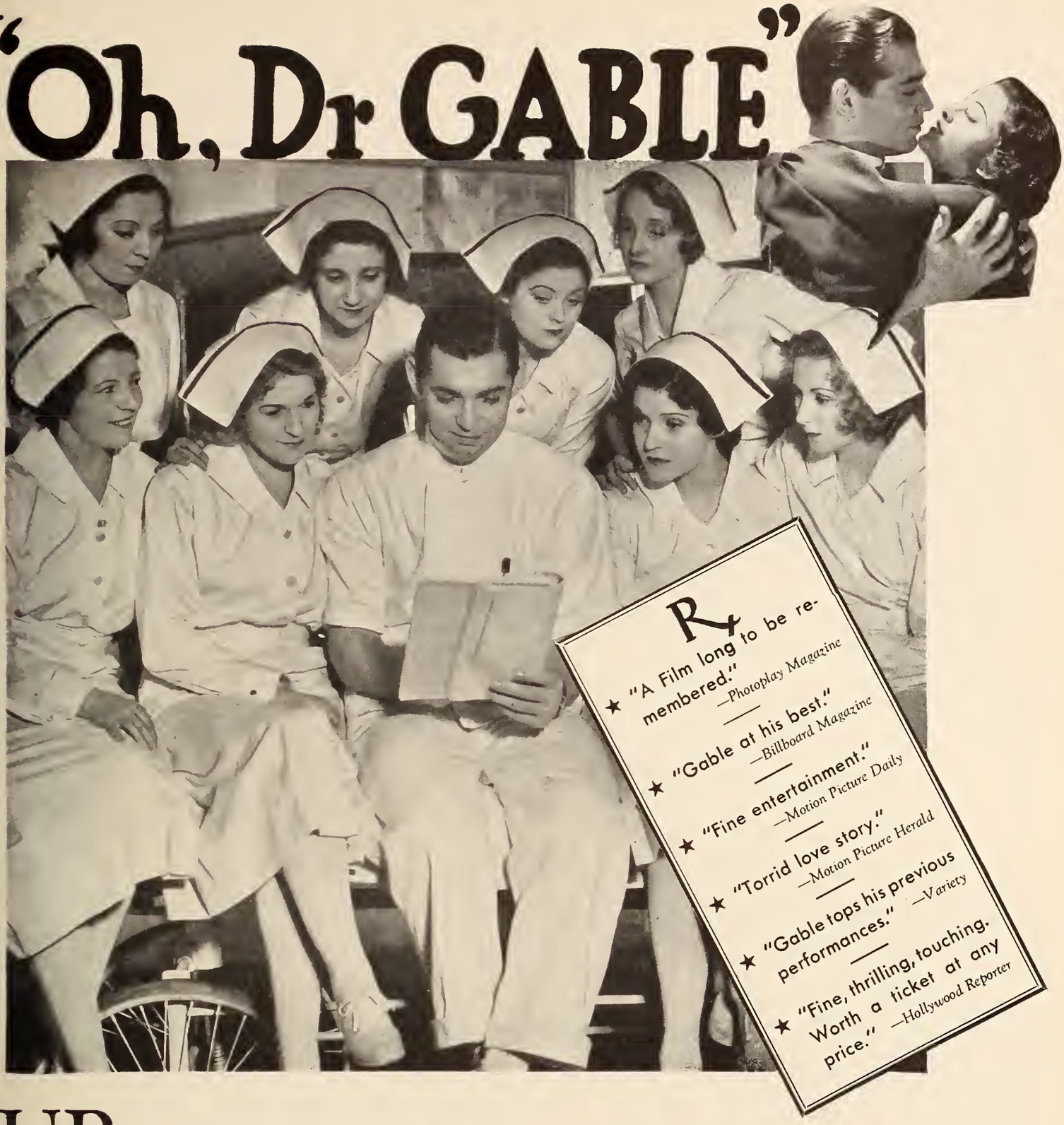
Fox Picks "Debutantes"

HOLLYWOOD, March 27.—Fox has added to the competition against the Wampas "Baby Stars" by following the custom it started last year and has named five "debutantes" for 1934. They are Alice Faye, Pat Paterson, Claire Trevor, Rosemary Ames and Drue Leyton.

No Summer Shutdown

HOLLYWOOD, March 27.—Winfield Sheehan said today that there would be no summer shutdown at either the old Fox studios or the Westwood plant.

"Oh, Dr GABLE"



UP goes the temperature of millions of gals, when they glimpse you as the handsome young medico whose specialty is heart complaints. "MEN IN WHITE" this year's biggest stage sensation, is still packing 'em in on Broadway, 8th big month, and what a picture M-G-M has made of it, starring CLARK GABLE with MYRNA LOY and this cast: JEAN HERSHOLT, ELIZABETH ALLAN, OTTO KRUGER. Directed by Richard Boleslavsky.



LEO MARCHES ON!

Campi to Map Review Board Policy Today

(Continued from page 1)

with which Campi had not been confronted until now. One Code Authority member made considerable of the point that the review board, a government agency, had extended its request to this industry as part of its official duty, which concerns probing of code authorities in all industry from the angle of encouragement of monopolistic practices and that, because this industry was among the first to be called, it did not necessarily follow it had been singled out above all others.

At Campi headquarters, it was explained it was the desire of Code Authority members to cooperate, but that it was felt further discussion with attorneys was advisable before taking any stand.

The National Recovery Review Board, it was pointed out in another, but well-informed quarter, has no subpoena rights and that, therefore, Code Authority in this business would be within its scope to refuse to appear if its members so determined.

Present at yesterday's meeting were Harold S. Bareford, alternate for Harry M. Warner; Nicholas M. Schenck, Louis Phillips, alternate for George J. Schaefer; Walter Vincent, alternate for Ed Kuykendall; Charles L. O'Reilly, R. H. Cochrane, Abe Montague, alternate for Jack Cohn, S. R. Kent, W. Ray Johnston and Leslie E. Thompson, the latter alternate for M. H. Aylesworth.

Sales Executives Not Notified Yet

(Continued from page 1)

ber of Code Authority rather than as a sales executive.

It is believed that John D. Clark, Fox general sales manager, may be summoned for the hearing in view of the fact that he has sat in frequently at Code Authority meetings as alternate for Sidney R. Kent. James R. Grainger, Universal general sales manager, Jules Levy, RKO sales manager, and Al Lichtman, vice-president of United Artists in charge of distribution, are out of town. Other sales executives had not received notifications to appear yesterday.

Labor Arbitration Up for Discussion

(Continued from page 1)

the hearing on revision of the legitimate theatre code before Deputy Administrator William P. Farnsworth.

Arbitration problems and proposals for the elimination of ticket scalping are expected to be points of considerable controversy. Recommendations on both questions will be contested.

Chicago Sets Budget

CHICAGO, March 27.—Local code board appointees at a meeting today set $1,000 per month as a tentative budget to cover all expenses.

800 Tickets Sold

The committee in charge of the forthcoming Ampa "Naked Truth Dinner," to be held in New York on April 21 at the Astor, has received 800 reservations as of last night.

Board Quiz Hangs On "C.A." Presence

(Continued from page 1)

ducing companies, including George Schaefer of Paramount, already summoned as a member of the Code Authority. Those asked to testify include Felix Feist, M-G-M; Albert Warner, Warners; Abe Montague, Columbia; John D. Clark, Fox; Ned Depinet, RKO; Paul Burger, United Artists, and James R. Grainger, Universal

As the board today switched to the subject of coal, tension between it and the National Recovery Administration became more acute, with indications that it would be one of the first matters to be brought to the attention of the President upon his return from Florida April 6.

Recovery Administrator Hugh S. Johnson was made fully conversant with the situation today by Division Administrator Sol A. Rosenblatt, who yesterday refused to submit to questioning by the board.

Keeps Files Closed

Proceeding further with its policy of keeping aloof from the Recovery Administration, the board, which had already decided not to avail itself of the files, advice or information of the NRA, has issued orders that its files and information are not to be made available to Administration officials.

Dissension among the members of the board has made its appearance, reports being current in Washington today that John F. Sinclair of New York was contemplating resigning as a result of the alleged haphazard manner in which investigations are being conducted.

Members of the board have frankly admitted that they saw little opportunity for constructive work. Such hearings as have been held have disclosed that the complaints cover the same points and are being filed by the same persons as during negotiations of the codes. The board is entirely without technical staff, with no one held competent to give reliable and impartial information regarding trade practices and other points being brought up at the hearings.

In the case of the film code, Mason does not appear to have studied or even heard of the several decisions of the Federal courts on block booking, designation of play dates and other points. Apprised of their existence by newspaper men, Mason declared he would look them up immediately before proceeding further with consideration of the points covered.

Celebrity Making 24

A total of 24 color cartoons will be produced by Celebrity Productions for the 1934-35 season, with release through the independents.

Schenck Starts East

HOLLYWOOD, March 27.—Joseph M. Schenck, president of United Artists, has left for New York.

Para.-Publix Asks for End Of Bankruptcy

(Continued from page 1)

attack by creditors' interests for several weeks and was not finally approved by the U. S. Circuit Court of Appeals until May.

The petition for a discharge from bankruptcy was filed by Rosenberg, Goldmark & Colin, Paramount's bankruptcy attorneys. Its approval by the court would relieve Paramount Publix of liability for debts after the final rerganization plan has been approved by creditors and approved by the court.

Paramount's reorganization plan is being held in abeyance while the large claims filed against the company are being settled. Actual submission of the plan for the approval of creditors and the Federal court is not expected before next fall.

Fremont Rent Claim On Para. Is Slashed

A rent claim of $21,450 filed against Paramount Publix on behalf of the Fremont, at Fremont, O., was allowed in the reduced amount of $6,500 by Referee Henry K. Davis yesterday. All of that portion of the claim which represented future rent was disallowed, while a reduced allowance on the claim for past rent was approved.

A past and future rent claim for $48,714 filed on behalf of the Paramount exchange building at Philadelphia is scheduled to be heard by the referee today.

Para.'s Entire 60 To Be Ready May 15

(Continued from page 1)

in work at the Paramount studio, including "Cleopatra" and "She Loves Me Not," both of which are on the 1934-35 schedule. Six additional pictures are being edited and five are in preparation, Cohen said. The Paramount production head said that 10 pictures will go into production during April and six during the first two weeks of May.

Sign Writers Offer Modified Contracts

New contracts are being submitted to New York circuits today by Sign Writers' Union, Local 230, which are understood to represent a compromise on the local's original demands for a seven-hour day and four-day week, with a daily increase in wages of $1.50. Circuits opposed the first contract and prepared to meet a strike.

Current agreements expire April 1, with the local expecting action on the new contracts by the end of the week.

Two Loew Cleveland Houses Go to Duals

(Continued from page 1)

double feature policy. The Granada will play two first run features every Friday, Saturday, Sunday and Monday. From Tuesday to Thursday, a single feature, second run following the State, will be shown.

The Alhambra will play duals all week, with three changes.

Four Circuits Here Seeking Board Places

(Continued from page 1)

tioned for the New Jersey board. However, the New Jersey setups have been discarded and now members of the selection committee are trying to place them on the New York setup.

A suggestions has been made that the clearance and zoning board for the local territory be increased to 12 which would take care of all interests. This recommendation is under fire inasmuch as the code provides for only six members.

While some objections are said to have been leveled at Moskowitz, which might prevent his being named, Loew's is understood to have insisted on representation because of its investment in about 70 theatres. It is said the company is the largest theatre holding company in the local field.

RKO's interest is heavy and it likewise is demanding a place on the board. The company is understood to be insisting that Thompson be named as affiliated first run exhibitor.

Warners, whose interest in New Jersey houses is said to run around $32,000,000, are after places on both the New York and Philadelphia boards. Jacocks is in charge of the atres across the Hudson and is understood to be anxious to have a say in the setting up of the clearance and zoning schedules for both territories.

Skouras operates about 35 houses in New York and New Jersey. While the elimination of the Jersey board plan removes him as a possible selection there, he may be named to the first run unaffiliated post on the local board. Skouras is an independent operator in this territory and qualified for this post. He will most likely get it. Edward Rugoff, Brooklyn independent circuit man, was originally scheduled for the appointment.

The committee on selections is slated to meet today, but may postpone the session because of the Washington hearing tomorrow.

Actors' Federation To Receive Charter

(Continued from page 1)

and Artists of America at a meeting in the Biltmore Theatre. Fred Keating, president, and Ralph Whitehead secretary, will officiate for the actors.

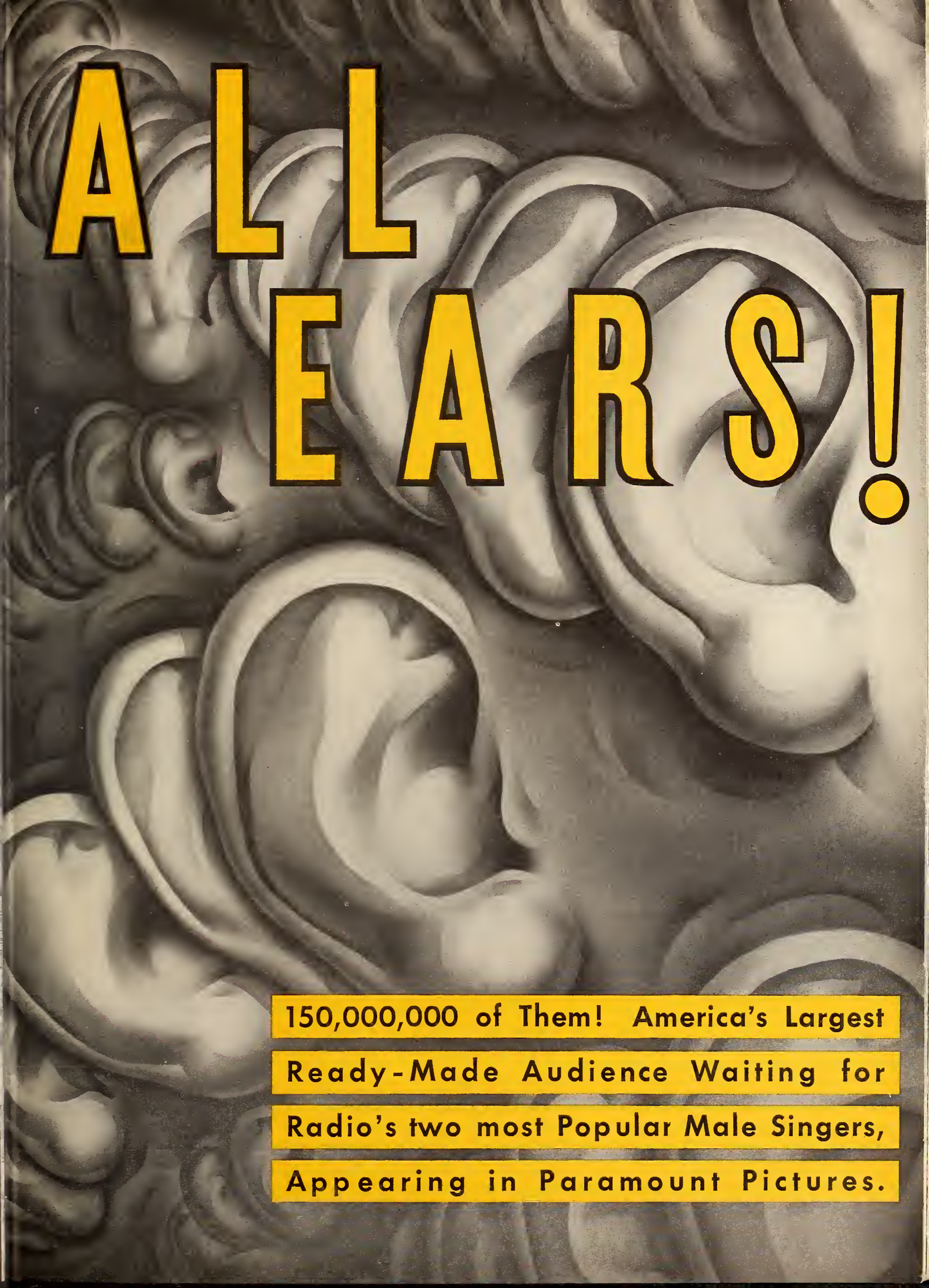
Among the speakers expected are Aldermanic President Bernard S. Deutsch, License Commissioner Paul Moss, Public Welfare Commissioner Stanley Howe, Judge Jacob Pankin, Eddie Dowling, Victor Moore, Hugh Frayne, Elias E. Sugarman, Bird S. Coler, Charles Baum and P. W. Coulcher.

Vitaphone vs. Erpi Suit in a New Mov

(Continued from page 1)

in the suit are not true. It states that it is ready to submit proof.

This move puts the suit back in Chancery. It has been before the Delaware Supreme Court on the defendant's plea twice, the defendant being sustained both times. Date for a hearing on the replication is to be fixed later.


ALL EARS!
150,000,000 of Them! America's Largest
Ready-Made Audience Waiting for
Radio's two most Popular Male Singers,
Appearing in Paramount Pictures.

PARAMOUNT O





Two recent radio polls—one by the Scripps-Howard newspapers and one by Radio Stars Magazine—revealed that BING CROSBY is the favorite troubador of the air. His next picture will be

"WE'RE NOT DRESSING"

with Carole Lombard, George Burns and Gracie Allen, Ethel Merman and Leon Errol; directed by Norman Taurog, music by Gordon & Revel and released April 27th.

HE AIR TODAY!



Second to Bing Crosby in the Scripps-Howard and Radio Stars Magazine radio polls, Lanny Ross's enormous air following was revealed when he received 40,000 requests for photographs from two broadcasts on Maxwell House Hour. Ross's first picture will be

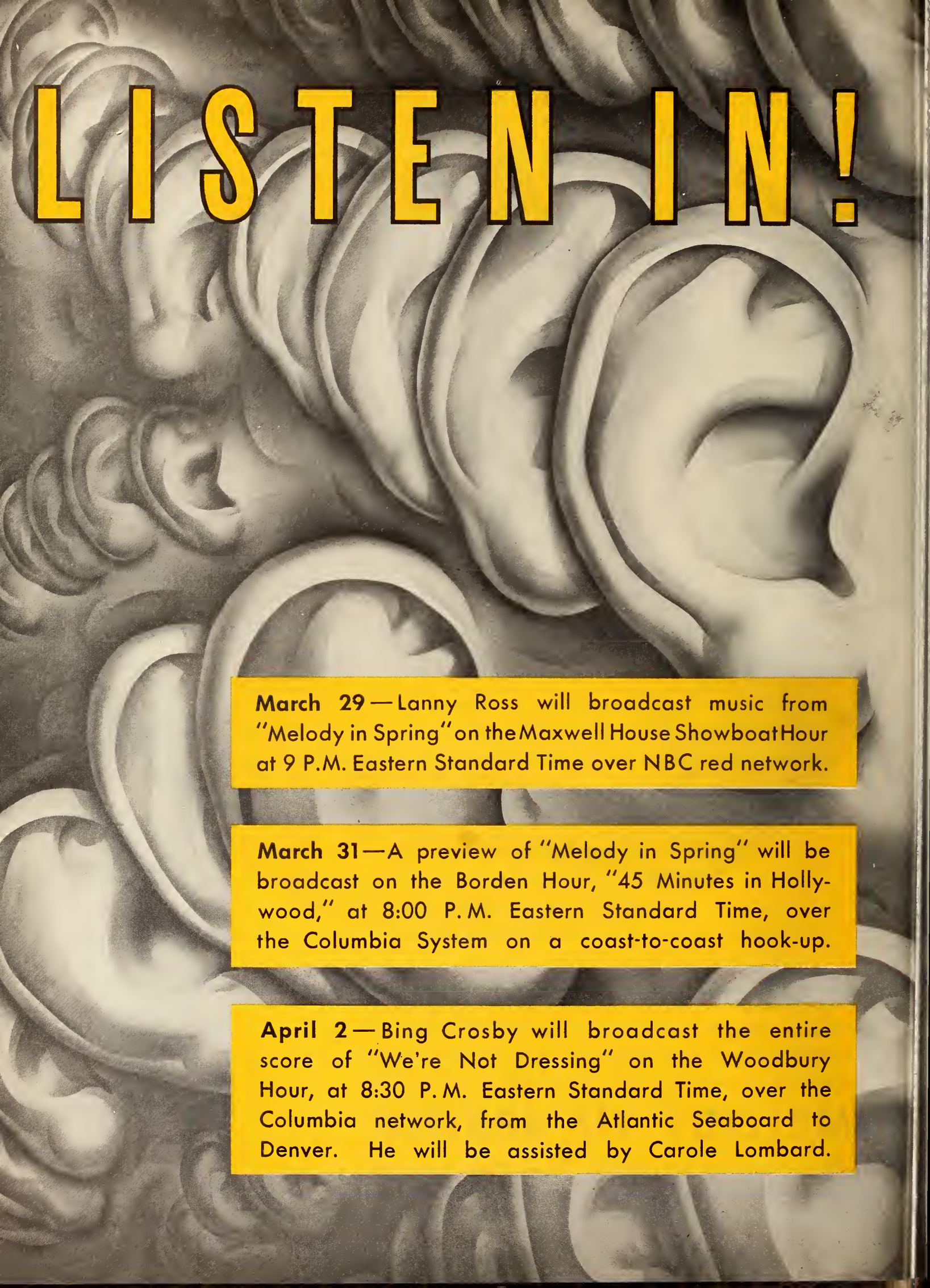
"MELODY IN SPRING"

with Charlie Ruggles, Mary Boland and Ann Sothern, directed by Norman McLeod and released April 20th.



it's the best show in town

Paramount Pictures



March 29—Lanny Ross will broadcast music from "Melody in Spring" on the Maxwell House Showboat Hour at 9 P.M. Eastern Standard Time over NBC red network.

March 31—A preview of "Melody in Spring" will be broadcast on the Borden Hour, "45 Minutes in Hollywood," at 8:00 P. M. Eastern Standard Time, over the Columbia System on a coast-to-coast hook-up.

April 2—Bing Crosby will broadcast the entire score of "We're Not Dressing" on the Woodbury Hour, at 8:30 P. M. Eastern Standard Time, over the Columbia network, from the Atlantic Seaboard to Denver. He will be assisted by Carole Lombard.

"Death" Goes Big in Denver With $8,000

DENVER, March 27.—"Death Takes a Holiday," with $8,000, was the only film to turn in more than average. Several factors caused this. The play had been produced here in stock summer before last, Fredric March is a former Elitch star, and a heavy exploitation campaign was put on by Louie Hellborn. It was held for an extra three days, the first time this has happened at this house since December.

Other houses did average except the Orpheum, which went a little above with "Jimmy the Gent" and a stage show.

Total first run business was $30,500. Average is $27,000.

Estimated takings for the week ending March 22:

"MANDALAY" (F.N.)
ALADDIN—(1,500), 25c-40c, 7 days. **Gross:** $3,000. (Average, $3,000)

"DEATH TAKES A HOLIDAY" (Para.)
DENHAM—(1,500), 25c-30c-40c, 7 days. **Gross:** $8,000. (Average, $5,000)

"SCANDALS" (Fox)
DENVER—(2,500), 25c-35c-50c, 7 days. **Gross:** $7,000. (Average, $7,000)

"JIMMY THE GENT" (Warner)
ORPHEUM—(2,600), 25c-40c-50c, 7 days. Stage show. **Gross:** $10,000. (Average, $9,500)

"DEVIL TIGER" (Fox)
PARAMOUNT—(2,000), 25c-40c, 4 days. **Gross:** $1,600.

"I LIKE IT THAT WAY" (Univ.)
PARAMOUNT—(2,000), 25c-40c, 3 days. **Gross:** $900. (Average for week, $2,500)

$2,500,000 Monogram Budget Aim of Carr

HOLLYWOOD, March 27. — Before leaving tonight for the annual Monogram convention, which opens in Atlantic City on April 4, Trem Carr, production head, stated he would request a $2,500,000 budget for next season's product, which is $250,000 larger than the last budget. This would bring the cost per picture to an average of more than $100,000. Under the new budget employment for 200 more persons would be provided.

Lou Ostrow, production manager; J. T. Sheffield of Seattle, and Floyd St. John of San Francisco, Monogram franchise holders, will head directly for Atlantic City within the next few days.

Backed as Arbitrators

HOLLYWOOD, March 27.—Upon further verification of their power to operate as arbitrators of studio code violations, Mrs. Mabel Kinney, chairman of the extras' code committee, and the Studio Labor Board, received a wire from Division Administrator Sol A. Rosenblatt today giving them complete authority on these matters. But despite this, Judge Ben B. Lindsey received orders from George Creel, state NRA chief, to proceed in handling and adjudicating these complaints.

K. C. Boards to Meet

KANSAS CITY, March 27.—An organization meeting of the local code boards has been called for Friday.

Two Cats Missing

Hollywood, March 27.—Universal's publicity stunt of interviewing several score black felines for "The Black Cat" recently, was not all it was cracked up to be.

Two of the cats were lost somewhere on the sound stages and are continually breaking into tune during production.

Truitt Dickers for Two Houses in K. C.

KANSAS CITY, March 27.—This town will get two picture houses, under a deal planned by Jack Truitt, veteran operator. Truitt plans to reopen the Pantages for first-run pictures and vaudeville at 15c-25c, and the deal also includes the next door Twelfth St. Theatre, where burlesque will be discarded for subsequent runs at 10 cents.

Truitt's negotiations for leases have been prolonged by complicated ownership and lease rights on the Pantages lobby and part of the 12th St. The ground recently was sold at a foreclosure to the Delaware Land Co., a new company formed for the purpose, which also acquired the Pantages building.

How soon the theatres will be taken over depends on the speed with which the legal complications can be ironed out. The Pantages was built as part of his original circuit. Once one of the major houses downtown, it has been dark two years.

Row Over MPTOA Feting

HOLLYWOOD, March 27.—Unable to come to an agreement with the arrangements committee of the M. P. Producers' Ass'n on plans for entertaining the M. P. T. O. A. conventioneers, Ben Berinstein has decided to deal direct with the studios.

Weingarten Re-Signed

HOLLYWOOD, March 27.—M-G-M has signed Larry Weingarten to a new long termer as associate producer. His first under the contract will be Booth Tarkington's "Presenting Lily Mars," with Jean Harlow.

Flash Reviews

Finishing School — Hollywood, March 27— . . . tender, touching film with an appeal primarily feminine. . . .

City Limits— . . . an entertaining film.

Reviews of these films will appear in full in an early issue of MOTION PICTURE DAILY.

"U" Changes a Title

HOLLYWOOD, March 27.—"Embarassing Moments" will be the release title of "The Practical Joker," Universal's latest with Chester Morris.

Brake Succeeds Hazen

SALT LAKE CITY, March 27.—A. R. Brake has succeeded O. J. Hazen as manager of the National Theatre Supply Co. branch here.

Dorothy Dell Signed

HOLLYWOOD, March 27.—Dorothy Dell has been given a long-term Paramount contract as a result of her work in "Wharf Angel."

MPTOA Picks Seven Convention Groups

(*Continued from page* 1)

atre owners from all parts of the country.

The committees and their membership follow:

Grievances: Lewen Pizor, chairman, Philadelphia; Nat M. Williams, Thomasville, Ga.; J. H. Michael, Buffalo, N. Y.; H. W. Harvey, San Francisco; Sidney Lust, Washington.

NRA Code-Trade Practices: Fred S. Meyer, chairman, Milwaukee; R. M. Clark, Oklahoma City; R. B. Wilby, Atlanta; Edwin Silverman, Chicago; George P. Aarons, Philadelphia; Morgan A. Walsh, San Francisco.

NRA Code-Labor Provisions: Jack Miller, chairman, Chicago; George Fisher, Milwaukee; L. S. Hamm, San Francisco; Love B. Harrell, Atlanta; Louis Ansell, St. Louis.

Legislation and Taxes: M. A. Lightman, chairman, Memphis; M. E. Comerford, Scranton, Pa.; R. B. Wilby, W. H. Lollier, Los Angeles.

Resolutions: Edward G. Levy, chairman, New Haven, Conn.; Oscar C. Lam, Rome, Ga.; Ed M. Fay, Providence, R. I.; Harry Hicks, Los Angeles; M. A. Lightman.

Public Relations and Community Affairs: Fred Wehrenberg, chairman, St. Louis; Nat M. Williams, Thomasville, Ga.; W. L. Ainsworth, Fond du Lac, Wis.; W. S. Butterfield, Detroit; Sidney Lust.

Credentials and Rules: M. E. Comerford, chairman, Jas J. McGuinness, Boston; Benjamin Pitts, Richmond, Va.; Charles E. Williams, Omaha; A. F. Baker, Kansas City, Kans.

Officers Re-elected By Canadian Ass'n

TORONTO, March 27.—The complete slate, officers and directors, of the M. P. Distributors and Exhibitors of Canada, was re-elected at the association's annual meeting here today.

Colonel John A. Cooper is again president and secretary and G. O. Burnett, treasurer. Directors are Harry L. Nathanson, M. A. Milligan, H. M. Masters, Leo Devaney, Clair Hague, James P. O'Loughlin, Harry Paynter and A. W. Perry.

Censor Moves Worry Canada Distributors

(*Continued from page* 1)

soring is done at Winnipeg, Manitoba, in conjunction with the Manitoba reviewing of films.

The exchanges in Canada are much concerned because, if censorship is established at Charlottetown, P. E. I., and Regina, it will mean that distributing companies will find it necessary to open two new branch offices. At present they get by with offices in six key centers.

Delaware Censorship Opponents Lined Up

(*Continued from page* 1)

Loew's Parkway, will represent his company and A. Joseph DeFiore will lead the fight for the independents.

Warners have not indicated what attitude they will take.

The censor bill includes a provision prohibiting showing of films in which there are players who have been twice divorced.

Spot News from Columbia



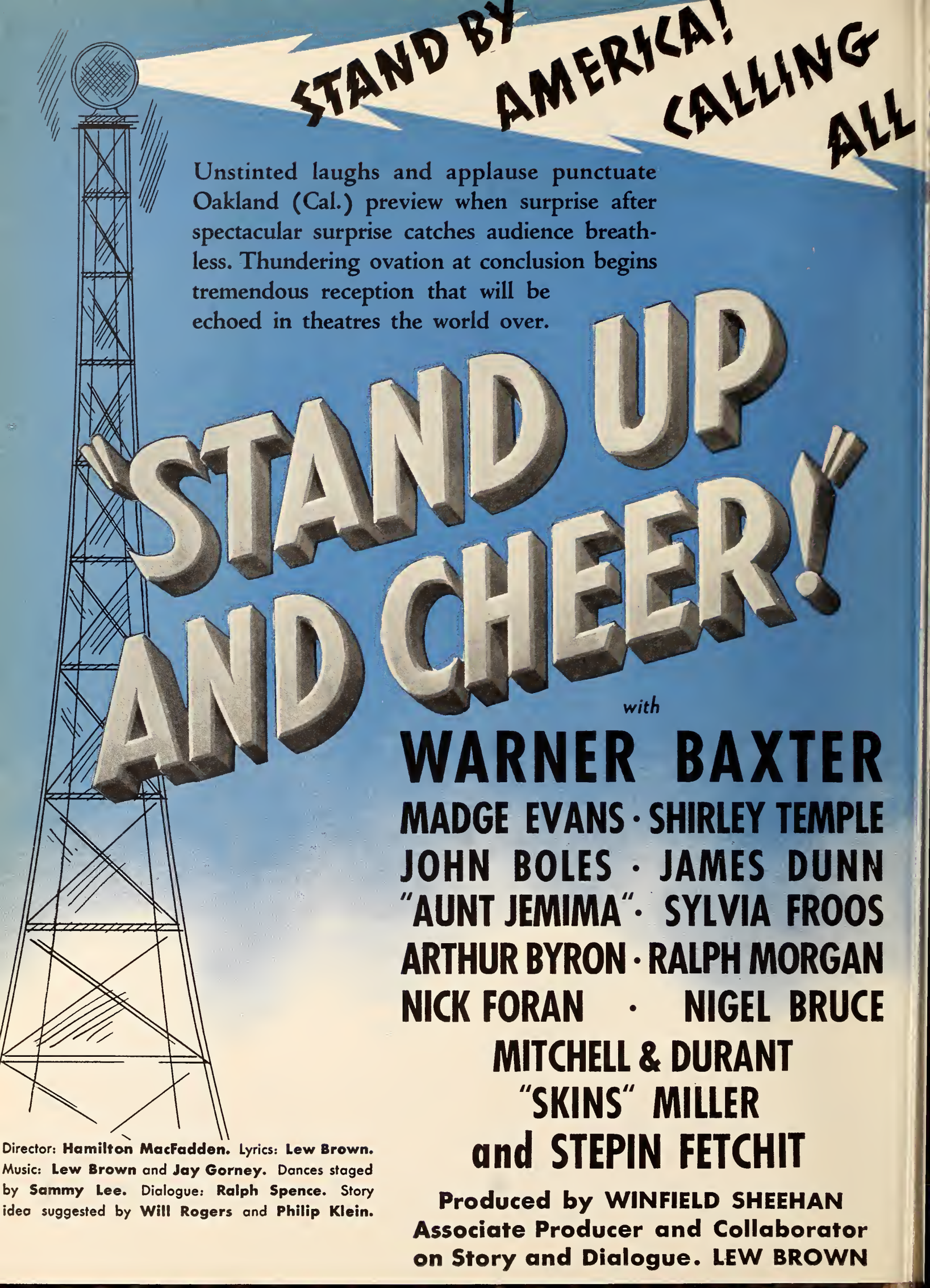
Every day, new batches of rave reviews pour into headquarters—singing the highest praises of the season's outstanding hit! CLARK GABLE and CLAUDETTE COLBERT in Frank Capra's "It Happened One Night."



Prepare for one of the greatest pictures you've ever played! Prepare for a response from press and public such as you've never before experienced! Prepare for Frank Borzage's "NO GREATER GLORY," based on Ferenc Molnar's famous novel!



Three outstanding personalities of the screen in a throbbing romance of universal appeal! ELISSA LANDI in "Sisters Under The Skin," with Frank Morgan and Joseph Schildkraut. Directed by David Burton.



Unstinted laughs and applause punctuate Oakland (Cal.) preview when surprise after spectacular surprise catches audience breathless. Thundering ovation at conclusion begins tremendous reception that will be echoed in theatres the world over.

"STAND UP AND CHEER!"

with

WARNER BAXTER

MADGE EVANS · SHIRLEY TEMPLE
JOHN BOLES · JAMES DUNN
"AUNT JEMIMA" · SYLVIA FROOS
ARTHUR BYRON · RALPH MORGAN
NICK FORAN · NIGEL BRUCE
MITCHELL & DURANT
"SKINS" MILLER
and STEPIN FETCHIT

Director: **Hamilton MacFadden.** Lyrics: **Lew Brown.** Music: **Lew Brown** and **Jay Gorney.** Dances staged by **Sammy Lee.** Dialogue: **Ralph Spence.** Story idea suggested by **Will Rogers** and **Philip Klein.**

Produced by WINFIELD SHEEHAN
Associate Producer and Collaborator on Story and Dialogue. LEW BROWN

THEATRES! IT'S OVER! IT'S A SMASH! IT'S HEADED YOUR WAY!

"VARIETY DAILY'S" THRILL-BY-THRILL BROADCAST...

"WINNIE SHEEHAN AND LEW BROWN HAVE clicked with a spectacular musical. Uncovers tiny Shirley Temple as the best child performer Hollywood has turned out in a long time...

"SHOW PRETTY THOROUGHLY copped by the Temple youngster, Stepin Fetchit and Nick Foran, whose song deliveries are punchy entertainment...

"SYLVIA FROOS CLICKS IN 'Broadway's Gone Hill Billy' in which Skins Miller is also a big hit...

"AUNT JEMIMA DOES THE opening number 'I'm Laughing' that is a socko and gets the film off to a fast pace...

"MITCHELL AND DURANT have a howl sequence doing their stage routine as deadpan acrobatic ambassadors...

"JAMES DUNN WORKS WITH Shirley Temple, John Boles does a sweet tune 'Our Last Night Together,' which looks like a real song hit...

"WARNER BAXTER AND Madge Evans split the two leading straight roles... both do justice to difficult parts...

"STORY AND DIALOGUE are clean with not a blue line or situation present...

"SHOW NUMBERS ARE ALL smash calibre, with dance routines by Sammy Lee extraordinarily good...

"HAMILTON MacFADDEN'S direction is meritorious. Costumes, scenery and camera work are plenty smart."

THERE'S GLORY ENOUGH FOR ALL!!!

A FOX PICTURE

AS USUAL

RIGHT SMACK IN THE CENTER OF THINGS—GETTING WHAT'S WHAT AND WHO'S WHO—WHEN IT *IS* NEWS

MOTION PICTURE DAILY WILL PUBLISH THREE ISSUES IN LOS ANGELES APRIL 10-12, SUPPLEMENTING ITS REGULAR APPEARANCE IN NEW YORK EACH MORNING WITH RED KANN LOOKING OVER THE SCENE

M.P.T.O.A. Convention Issue

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry In All Branches

VOL. 35. NO. 83 — LOS ANGELES, TUESDAY, APRIL 10, 1934 — TEN CENTS

Hays Asserts Films Helped To End Slump

'aughed Big Bad Wolf Of Depression Away"

ilms were given credit for an im- nt share in starting the country f depression by Will H. Hays in nnual report to the M. P. P yesterday.

o medium has contributed more y than films to the maintenance national morale during a period d by revolution, riot and politi- rmoil in other countries," he "It has been the mission of ren, without ignoring the seri- ial problem of the day, to re- piration, achievement, optimism

(Continued on page 4)

ard, Goldsmith 'or Wage Board

oward and Dr. Alfred N. are understood to be un- deration for posts on the t set up by Division Admin- f A. Rosenblatt to pro- asic operators' wage scale York. The I.T.O.A. and for some time have at- work out a scale for local

strued on page 7)

thern Move to Hoblitzelle

arch 26.—Karl Hoblit- he has heard nothing of ating in New Orleans, nt's southeastern and artners were planning e company to embrace tory am aware there is no ort. We are operat- e Circuit, Inc., along originally conceived the state of Texas,"

Be Made Poli Soon

Schenck Poli circuit

Seek Reopening of Code To Aid Minority Groups

Authority May Name Boards' Secretaries Outside Lists

Appointment of secretaries by Code Authority—Campi—will not be confined to recommendations sent in from the field, it is learned. Campi is anxious to have as many suggestions for these posts as possible and everyone listed will be given due consideration before appointments are made.

Secretaries are not obligated to sign the code, it is stated by Campi, inasmuch as they are not entitled to vote. These men and women selected will be employes of Campi and paid according to the prevailing wage for similar work in territories they serve.

Report Nathanson And F. P. Deal Set

Toronto, March 26.—It is reported here that N. L. Nathanson, president of Famous Players Canadian Corp., is closing negotiations for the return of direct control of the circuit to Canadian and British interests which stand ready to make a stock purchase.

Nathanson had hardly reached this city on his return from a Florida vacation when he left for New York for the purpose, it is said, of discussing the deal.

Ralph Kohn of Paramount Publix stated yesterday this was the first he had heard of any such move.

Production Gains; 41 Features Going

Hollywood, March 26.—Production last week registered a decided increase over the preceding week. Forty-one features and 19 shorts were in work as against 40 and five for the previous week. There was also a healthy sign of continued activity with 33 features and 15 shorts in final stages of preparation tentatively slated to start within the next two weeks. Cutting rooms

(Continued on page 2)

Cummins Rushing Picture on Hitler

"Hitler's Reign of Terror," a feature, is on the way.

Worked on secretly for some time and using the film credited to Cornelius Vanderbilt, Samuel Cummins has been rushing work on assemblage of the negative and expects to have the first print ready in about a week.

Reluctantly, he admitted his plan yesterday. He is understood to have obtained possession of footage recently shot in Germany on a narrow gauge camera, purporting to show Jewish doctors and lawyers waiting in long lines for registration in concentration campaigns and other shots allegedly showing atrocities.

Milwaukee Doubles Spurt Despite Ban

Milwaukee, March 26.—Despite an agreement signed last July by a majority of exhibitors in Milwaukee County outlawing double features, indications point to a revival of the practice here with 20 independent neighborhood houses now playing dual bills several times a week. This represents approximately 25 per cent of the theatres in Milwaukee County

(Continued on page 7)

Indies Thought Slighted As Review Board Opens Capital Hearings

Washington, March 26.—Reopening of the code on the ground it left the industry under the domination and at the mercy of the major producers appeared tonight to be the aim of the National Recovery Review Board following its initial hearing today.

After a day devoted to the hearing of complaints, during which Lou Mason, counsel for the board, w refused appointment as impartial m ber of the Chicago grievance boa attempted to show producer dom tion, the investigation was recess until Thursday.

Tonight telegrams requesting appearance were sent to all 10 m bers of the Code Authority and be followed by similar requests sales managers of the major prod

(Continued on page 4)

Some Code Boar Get Work Sta

Cincinnati, March 26.—Fi meeting of the grievance and and zoning boards was held the Variety Club quarters in erlands-Plaza, with all mem ent except John Elliott an Smith of the grievance boa Frank W. Huss of the cle

(Continued on page

Finnegan Out, Goes on K. C.

Dr. Paul Lux has bee by Division Administra Rosenblatt to replace Th negan as impartial me Kansas City grievance Means, president of t Kansas, protested Finn ment to the board.

Finnegan was origin for the post, but appo confirmed.

"Scandals," "Harum" and "Chris" Going Strong



The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 35. NO. 73 NEW YORK, THURSDAY, MARCH 29, 1934 TEN CENTS

Feature Cut Of 16 Likely Next Season

Monogram and U. A. May Drop Eight and Six

Production cuts of 16 features are indicated in tentative plans of nine companies for the 1934-35 season. The largest individual cut proposed, eight, may be by Monogram. Fox and Universal may drop two each, making the total for the former 52 and for the latter 40. United Artists may lop off six, leaving the lineup at 30.

This makes a total of 18, but there is talk of a two-picture boost by M-G-M.

If this program prevails, the company totals will be as follows: Colum-

(*Continued on page 7*)

Expect No Changes In Monogram Setup

No changes in the executive personnel of Monogram are expected at the annual meeting, to be held April 4 in Atlantic City in conjunction with the three-day convention of company franchise holders. The elections will precede the usual business and the following setup will in all probability be continued without change: W. Ray Johnston, president; Trem Carr, vice-president in charge of distribution; Norton Ritchey, vice-president in charge of foreign distribution; Peter

(*Continued on page 6*)

Shea Rallies, Hopes To Be Out on Easter

BUFFALO, March 28.—Rallying with characteristic fighting vigor, Michael Shea, head of the Shea theatres in the Buffalo area, apparently can be expected to celebrate his 75th birthday Easter Sunday by getting outdoors again. If the weather is sufficiently mild and his recovery proceeds at its present rate, Shea is expected to attend Easter mass at St. Joseph's New Cathedral.

Poisoning released in his system following the recent extraction of several teeth nearly resulted fatally for the old showman, who observed his golden jubilee as a theatre operator last year.

Ohio Governor Asks 3% General Sale Tax

COLUMBUS, March 28.—In an effort to stir the Legislature out of its deadlock on his taxation program, Gov-

(*Continued on page 7*)

The Forgetting Isle

About a Strange South Sea Land Where the Exhibitor Can Barely Whisper and The Public Is Voiceless

By MARTIN QUIGLEY

THE Hollywood production situation continues essentially unchanged.

In face of the recent times and conditions which have so radically altered industrial affairs generally, this assertion may be regarded as another tribute—or rather criticism—to that world-unique institution which is the Hollywood production colony.

It is more than a little startling to observe against the changed and changing affairs of the day that Hollywood continues, serene and aloof, committed jealously to those same old customs, practices and viewpoints which have made it what it is. Accustomed to the physical shock of earthquake, it has come to regard threat of any other kind of shake-up as merely rumor which murmurs impotently beyond the mountains.

An accurate survey of underlying conditions of any one of the recent years reflects almost precisely the conditions of this year. An analysis of the current situation amounts almost completely to a repetition of what has been found and what has been observed previously. The dominant personnel remains virtually unchanged—and its procedure continues in essence and form just what it has been. The political ring continues to be reminiscent of the Tammany Hall that was. The question persists as to the whys and wherefores of the agents' levy of a tax of a few millions of dollars a year on the industry, and those who are in a position to answer remain either strangely silent or adroitly evasive. Meanwhile the agents' system, which is the greatest single factor in the extravagances of production—screwing up scales of compensation to ridiculous heights through the scheme of social-political manipulation—has become as indigenous to Hollywood as cactus to the desert. Each of the agents who count is a satellite who revolves about in the warming

(*Continued on page 4*)

See Tri-State Meet as Guide To the MPTOA

MEMPHIS, March 28.—Sessions of the semi-annual convention of the M.P.T.O. of Arkansas, Mississippi and Tennessee here Sunday and Monday at the Chisca Hotel are expected to provide a sort of focal point of preparation for the national convention in Los Angeles April 10-12.

Executives of M.P.T.O.A. and branches of the industry have been busy on preparations for the coast convention, but the tri-state gathering here will provide the first chance for exhibitors actually in the field to take much of a hand in the proceedings.

For the first time in years a closed session for exhibitors only is planned, and showmen will have ample opportunity to get everything off their chests. Taxation, code matters, the

(*Continued on page 2*)

Code Boards Set to Start In Key Spots

Code boards are set for action in Washington, Buffalo and New Orleans as soon as secretaries are approved by the Code Authority. First official meetings and swearing in of members have been arranged at preliminary joint meetings.

Memphis boards are to hold their first joint meeting this week.

WASHINGTON, March 28.—Grievance and clearance and zoning boards for the Washington exchange territory met yesterday for the first time, appointing a chairman and drafting a roll from which Code Authority will select secretaries.

The grievance board consists of Herman Blum, of Baltimore, chairman; Robert Smeltzer, Sam A.

(*Continued on page 6*)

"C. A." Confers Monday With Review Board

Those to Attend Hearing To Be Picked Then

WASHINGTON, March 28.—Amicable settlement of the controversy between the National Recovery Review Board and Campi over the calling of the latter to Washington tomorrow despite the fact it was to meet in New York to take up important questions was reached today over the long-distance telephone.

The members of the authority were excused from appearing tomorrow with the understanding that representatives would come to Washington Monday to confer with Lowell Mason, counsel for the board, as to what members of Campi and what sales managers would be heard, with the

(*Continued on page 6*)

May Decide Today Size of N. Y. Board

Code Authority will be presented two plans for the clearance and zoning board in New York. One will call for the required six members as specified in the code and the second will ask for an enlarged board of 12. Approval of one is expected by the authority today in addition to setups in Boston, Minneapolis, Portland and Philadelphia.

While some members of the au-

(*Continued on page 6*)

"Code First" Ruling Held Spreading Work

An NRA ruling by Division Administrator Sol A. Rosenblatt holding that the labor provisions of the code take precedence over all agreements permits exhibitors to "spread" work among an increased number of employes in order to comply with the maximum working hours established by the code without increasing payrolls, *Motion Picture Herald* will say today.

The ruling provides that where labor

(*Continued on page 6*)

Kuykendall Asserts Code Will Succeed

OKLAHOMA CITY, March 28.—Ed Kuykendall came here last night with a group of M.P.T.O. men who had attended the Dallas convention and

(*Continued on page 6*)

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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JAMES A. CRON
Advertising Manager

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Texas Border Show Planned for MPTOA

EL PASO, March 28.—A Texas border reception is to be given to M. P. T. O. A. delegates on their way to the coast convention when their special trains converge on this city Sunday, April 8.

John Paxton, manager of the Plaza, is chairman of the reception committee and exhibitors are getting together in an effort to put on a real show. Arrangements are being made for the visitors to cross the border into Juarez on the Mexican side of the Rio Grande, as the trains will stop here for more than two hours.

St. Louis MPTO to Pick Its Delegates

ST. LOUIS, March 28.—Delegates to the M. P. T. O. A. convention in Los Angeles will be chosen tomorrow at a meeting of the M. P. T. O. of St. Louis, Eastern Missouri and Southern Illinois at the Fox projection room. Fred Wehrenberg will preside.

Working of the grievance and zoning and clearance boards will also be discussed. Personnel of the boards is satisfactory to the M. P. T. O. unit here.

BEN BLUE

Under Contract
WARNER BROS.
VITAPHONE STUDIO
Now Making Personal
Appearances in England
Direction of
JOE RIVKIN — Leo Morrison Agency

See Tri-State Meet as Guide To the MPTOA

(*Continued from page* 1)

threat of censorship and other industrial problems will be thrashed out, with a view to national action later.

Much of the work to be done at the national board meeting will probably be outlined here in private conferences. Ed Kuykendall, national president; M. A. Lightman, tri-state president and former M.P.T.O.A. president; Dave Palfreyman, contact man for the Hays organization, will do considerable conferring outside the regular meeting.

Palfreyman and Kuykendall have agreed to speak. Invitations have also been extended to Sol Rosenblatt and Red Kann, MOTION PICTURE DAILY editor. Rosenblatt has said he may come. Kann has accepted.

Sunday will be devoted almost entirely to screenings of new product at the Strand and Linden Circle. Vice-Mayor Cliff Davis will welcome the visitors Monday morning at the Chisca. The convention will close with the annual banquet Monday night.

That exhibitors are taking an interest in what is going on in the industry as never before is clearly indicated by the fact that the tri-state M.P.T.O. has more paid-up members today than has been the case in several years, despite a custom that most members do not pay their dues until arrival here for the convention.

Many members of the newly-formed Independent Theatre Owners of Arkansas will also attend.

Wisconsin's MPTO Selects Delegates

MILWAUKEE, March 28.—Fred S. Meyer, president of the M.P.T.O. of Wisconsin and Upper Michigan, Inc., and W. L. Ainsworth, Fond du Lac, secretary of the association, have been picked as delegates-at-large to the M.P.T.O.A. convention. Delegates named include B. K. Fischer, R. J. Baldwin, Bernhard Lassack, C. W. Trampe and D. E. Weshner, all of Milwaukee. Meyer has also been named as a member of the national board by the local unit.

One of the problems to be presented to the convention by the delegation is the matter of walkathons. This form of entertainment has raised considerable havoc in this territory but has been brought under control by the passage of ordinances prohibiting them in practically all of the leading cities in the state.

Texas Association Joins with MPTOA

DALLAS, March 28.—Affiliation with the M. P. T. O. A. has been voted by the Theatre Owners' Protective Ass'n. of Texas. Ed Kuykendall suggested the move.

Kuykendall urged the members to use common sense in solving the buyer-seller problems of the industry and promised as much help in Washington as possible for those who deserve it, but not for the over-buyer or contract welcher.

The association went on record against score charges, the Patman bill, indecent pictures, indecent spots in pictures, and declared that stars had no right to behave in a way to bring discredit to the industry. Block buying and percentage deals are characterized as "the big evils" of the day.

Carolinas to Have 15 at MPTOA Meet

CHARLOTTE, March 28.—The North and South Carolina branch of M. P. T. O. A. is planning to have about 15 representatives at the coast convention. A special Pullman has been chartered to leave Charlotte April 5. Those who have already made reservations are H. R. Barry, Hartsville, S. C.; M. F. Schniffe, Florence, S. C.; Alfred Sottile, Charleston, S. C.; S. W. Craver, Charlotte; Frank Falls, Danville, Va.; Frank Bennyhfield, Charlotte; T. A. Little, Raleigh; Mr. and Mrs. Walter Griffith, Charlotte; J. E. Simpson, Gastonia; H. V. Wynne, Greenville; H. H. Anderson, Cheraw, S. C.; Charles W. Picquet, Pinehurst; H. F. Kincey, Charlotte. It is expected several other members of the association will also make the trip.

Takes Warner House

HOLLYWOOD, March 28.—Ben Berinstein is taking over the lease on Warners' Western, deluxe neighborhood, and will establish a double feature policy. The house reopens within 10 days after being dark 10 months.

Trading Light on Big Board

	High	Low	Close	Net Change	Sales
Columbia Pictures, vtc	26¼	26¼	26¼	+ 3/8	100
Consolidated Film Industries	4¼	4¼	4¼	+ 1/8	200
Consolidated Film Industries, pfd	15¾	15¾	15¾	+ ¼	100
Eastman Kodak	86	85¾	86	.....	700
Fox Film "A"	14⅝	14⅝	14⅝	.....	100
Loew's, Inc.	31⅜	30¾	31⅛	+ 5/8	1,400
Paramount, cts.	4¾	4½	4⅝	.....	1,700
Pathe Exchange	3	2⅞	3	+ 1/8	1,400
Pathe Exchange "A"	17⅞	17¼	17¼	.....	800
RKO	3⅛	3	3	— 1/8	300
Warner Bros.	6⅜	6⅛	6¼	+ 1/8	2,000

Technicolor Up 3/8 on Curb

	High	Low	Close	Net Change	Sales
Sentry Safety Control	3/8	3/8	3/8	.....	100
Technicolor	8¼	8	8	+ 3/8	700

Warner Bonds Off ½

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	8¾	8½	8¾	— ¼	4
Keith B. F. 6s '46	64⅜	64⅜	64⅜	+ ¼	1
Loew's 6s '41, ww deb rights	98½	98	98½	+ ½	1
Paramount Publix 5½s '50	49⅜	49	49⅜	+ 3/8	4
Warner Bros. 6s '39, wd	53¾	53	53½	— ½	17

Purely Personal

JACK COHN, NAT SPINGOLD, ABE MONTAGUE, NAT COHN, PHIL REISMAN, HOWARD DIETZ, DAVID LOEW, DAVID BLUM, MORT SPRING, BEN SHERMAN, JACK STEINMAN, JIM RYAN, GABRIEL HESS, LOUIS PHILLIPS and EDWARD DAVIDOW were among those at the M. P. Club yesterday.

BERNARD GOTTLIEB, head of the M-G-M branch in Mexico, arrived yesterday for a short stay.

RUTH CHANNING, M-G-M player, is in from the coast and leaves tomorrow.

MR. AND MRS. JEAN HERSHOLT and their son, ALLEN, check out of the Warwick for the coast today.

S. CHARLES EINFELD leaves tomorrow for a visit to the Warner coast studios.

PAUL WHITEMAN will start a week's engagement at the Capitol tomorrow.

POLLY MORAN is slated to leave for Hollywood tomorrow.

HARRY BUXBAUM leaves for Florida today for a brief vacation.

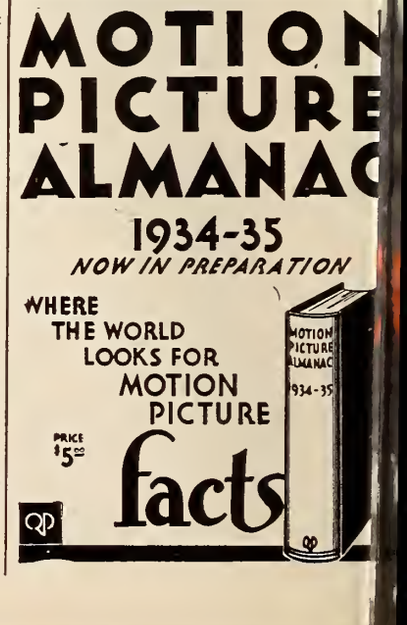
SYLVIA DORLEN of *Motion Picture Herald* tonight weds SOL BARSKY.

Wampas Winners

HOLLYWOOD, March 28.—Judith Arlen, Betty Bryson, Jean Carmen, Dorothy Drake, Jean Gale, Hazel Hayes, Ann Hovey, Lucille Lund, Lu Ann Meredith, Gigi Parrish, Jacqueline Wells, Katherine Williams and Helene Cohan were the winners today in the Wampas polling on baby stars. Elected alternates were Jean Chatburn, Dorothy Grainger, Neoma Judge, Leonore Keefe, Mary Kornman and Irene Ware.

Diamond on Way East

HOLLYWOOD, March 28.—Lou Diamond was eastbound tonight to line up talent for Paramount's "The Big Broadcast of 1934." Radio is also planning a picture containing big radio names, with M. H. Aylesworth handling arrangements in the east and Pandro Berman on this end.



WAITED FIVE YEARS FOR THIS STORY—AND THIS PREVIEW PROVES IT WAS WORTH WAITING FOR..."

Barbara Stanwyck

VARIETY

Preview

Gambling Lady

Warners production and release. Directed by Archie Mayo. Original story by Doris Malloy. Screen play, Ralph Block and Doris Malloy. Camera, George Barnes. Cast: Barbara Stanwyck, Pat O'Brien, Joel McCrea, Claire Dodd, C. Aubrey Smith, Phillip Reed, Phillip Faversham, Robert Barrat, Robert Elliott, Ferdinand Gottschalk, Arthur Vinton, Willard Roberston, Arthur Treacher, Huey White. Previewed at Warners' Beverly, March 1. Running time, 65 mins.

Smart direction and superb performances put a high entertainment stamp on 'Gambling Lady,' complementing a story which deals excitingly with the situations presented in bright new makeup.

The character of the title role gives Barbara Stanwyck the richest opportunity she has yet had, and she troupes it admirably. Joel McCrea handles a romantic and exacting assignment to perfection.

Movement of the dramatic action by an able supporting cast, headed by Pat O'Brien, Claire Dodd and C. Aubrey Smith, proceeds with creditablity and polish, pace and conviction under Archie Mayo's expert guidance.

Crisp dialog abets consistency of all the characters. All in all, a colorful tale is absorbingly unreeled for wide appeal and more than average box office expectancy. Romance between Miss Stanwyck and McCrea is delightfully handled.

In a cast marked for its high average, Claire Dodd and C. Aubrey Smith stand out, next to Stanwyck and McCrea, with Robert Barrat and Arthur Vinton also in for impressive parts, and Ferdinand Gottschalk, Robert Elliott, Willard Robertson, Huey White, Arthur Treacher, Phillip Faversham and Phillip Reed taking good care of lesser spots.

Camera is beautifully handled by George Barnes. Presentation is lavish and gorgeous. Supervision is smart. Every department has coordinated for ace product.



Warner Bros. Present

The 1934

Stanwyck

in

GAMBLING LADY"

with

Joel McCrea • Pat O'Brien

Vitagraph, Inc., Distributors

The Forgetting Isle

(Continued from page 1)

and profitable effulgence of his executive chief. Unless being elected somehow to the charmed circle, any person professing to be an agent in Hollywood is most grievously out of luck. He might with much better chance of success seek to walk into the Senate Chamber in executive session and rest himself in the president's chair.

▼

Hollywood continues to develop and improve its already amazing skill in the technic of making motion pictures. It is very seldom that one of the principal studios issues a really poorly produced subject. It is true that there is no dearth of poor attractions, but these subjects are poor attractions not because they are in any sense poorly produced but rather because the great initial mistake of selecting the wrong kind of subject matter has been made, and after this has been entered upon, no conceivable amount of technical skill will save the resultant picture.

A great problem of production—and probably the greatest—is concerned with the selection of the wrong kinds of subject matter or with the wrong treatment of subject matter which might otherwise be acceptable. Unquestionably a great influence in this state of affairs is the breach which has existed for several years between the studios and the theatres.

At one time in the history of the industry exhibitors were depended upon as the main source of information and guidance as to what the public wanted and how it wanted it. But the old order has changed.

The exhibitor is the forgotten man of Hollywood.

The exhibitor is regarded largely as an incidental and rather unimportant cog in a machine which is supposed automatically to bring the product of the studios to the attention of the public.

The exhibitor is not supposed to know what the public wants and he is certainly not expected to have the temerity to tell the producer that what is being made is perhaps not what the public wants. If he comes to Hollywood and does not happen to control most of the theatres in at least several states he is fortunate to receive a visitor's pass to a studio.

▼

If Hollywood were an island located at some remote point far out in the Pacific some of the conditions obtaining there would not be so difficult to understand. There is an attitude of self-sufficiency that challenges belief. The manifest reaction of public opinion in various quarters to much of the current product is not only not realized in Hollywood, but vigorously denied. The brilliant sunlight of California, apparently, blinds Hollywood to everything save only that which it wishes to see. And anything which it does not see—or think of first—is not supposed to exist.

In quite a matter of fact way Hollywood assumes and insists that its business is the production of adult entertainment and adult entertainment only. It is true that an occasional bid for juvenile entertainment is made, but this happens infrequently and only then in a condescending manner. It would seem that there should exist in Hollywood some exact knowledge of the force which youth represents in motion picture theatre patronage—not only as to its own numerical strength but also as to the influence which it exerts upon adult attendance.

It should be known and realized in Hollywood that unless the patronage of youth is kept and unless parents continue to favor the motion picture theatre as a place of amusement for youth the industry in its present scope and importance cannot exist.

It seems difficult for Hollywood to understand the essential nature of the motion picture business: That it is a commercial enterprise seeking to provide for virtually the whole public, at a low cost per person, a form of theatrical entertainment. That the people of Hollywood should seek to appear important in the eyes of Hollywood is readily understandable. This aspiration as such is simply a manifestation of community consciousness and in such a solidly knit community as Hollywood it is altogether natural that its people should incline toward catering to each other's tastes, the objective being to impress one's neighbor. It may well be that the automobile manufacturers in Detroit have in their laboratories certain radical departures in the form of motor cars, but these, if there are any, are not the items of automotive merchandise which they put on the floors of the showrooms.

Hollywood product, however, is very largely given a character which by no stretch of the imagination could be regarded as having been arrived at after consulting the customers' wishes.

The results of this, of course, is that while modern businesses generally leave no stone unturned in their effort to give the market what it wants, we find important groups of motion picture customers ready to go to law in order to escape being given what they most emphatically insist they do not want. But Hollywood likes that sort of stuff. It is in the air. It is what impresses the other fellow—in Hollywood. Hence, it is in the pictures, largely because it is what Hollywood wants. It insures the provincial compliment.

▼

The business of writing for talking motion pictures is practically an untried experiment. It is true that there is no denial of the supposed importance of the writer in motion picture production. It is also true that there has been imported to Hollywood a small army of the highest paid literary workers in the history of the world. But their efforts, except in rare instances, are not permitted to reach the screen in any recognizable form. The efforts must squeeze as best they can through the bottle-neck of the executive high command.

Writers, for the first time since men and women have been engaged in the art of letters, are being schooled to function in platoons.

A story conference in many instances is an intense debate, apparently genuine, but in reality is expected only to conclude with an agreement with what the executive has previously decided. There is only one explanation of why so many good writers in Hollywood are becoming hacks. The scale of compensation is so high that they have persuaded themselves that they are no longer writers but businessmen.

Despite the regrettable lack of the many readjustments so long awaited in Hollywood and probably by virtue of the years of experience in motion picture production, together with that tremendous concentration of talent which has been effected there, the product situation is not critical—at least no more so than it has been for a long time. One exception to this which may be emphatically registered during the months ahead is objectionable treatment and material which continue to color the product.

In the output for the latter part of this season and the early months of the coming season there are a considerable number of produced or planned attractions which promise to rank well up with the best the screen has yet afforded.

Milwaukee's Ushers Given 40-Hour Week

MILWAUKEE, March 28.—Ushers are not guaranteed a 40-hour week under an agreement reached with exhibitors, but where they are employed 40 hours they are receiving $12.50 per week which represents a compromise between the $10.00 per week minimum under the theatre code and the $15.00 minimum formerly received under the president's blanket re-employment agreement. Ushers employed for less than 40 hours are receiving a pro-rata scale at the $12.50 per week rate. There is no distinction being made by local exhibitors between union and non-union ushers.

With the settlement this week of labor differences between the operators union and the Pastime and Legion theatres, local neighborhood houses for the first time are 100 per cent unionized.

Radio Show for Roxy

"Footlight Echoes," a radio program produced by Station WOR, will be presented at the Roxy April 3 as part of its regular program. The show goes on at 7:30 P. M. and is not a sponsored program. Jack Arthur, Veronica Wiggins, Allen Lee Reiser and the Crusaders will appear.

P.-P. Rent Claim Denied

A rent claim of $48,714 filed against Paramount Publix by Ann Jardis, landlord of the Philadelphia Paramount exchange building, was disallowed by Referee Henry K. Davis yesterday.

May Delay "Villa" Debut

Although M-G-M has announced April 6 as the opening date for "Viva Villa" at the Criterion on a two-a-day policy, premiere of the picture may be set back a few days.

It's Col. Ferguson Now

It's Colonel "Billy" Ferguson now. The M-G-M exploitation head yesterday received his official title from Governor Ruby Laffoon in Kentucky.

If Ferguson is elected to the presidency of the Ampa, it will be the first time in the history of the business that a colonel will head the publicity and advertising association.

Franklin May Go Abroad

Harold B. Franklin, who returns from the coast Saturday, may accompany Arch Selwyn, theatrical producer, to London late next week to discuss proposed American productions of current British plays.

Orders 20 Truth Tables

The New York Film Board of Trade has ordered 20 tables for the Ampa Naked Truth Dinner to be held at the Astor on April 21.

Stars Lined Up for M. P. Club's Party

A number of stars have been lined up for the opening of the M. P. Club bar on Saturday, April 14. Among those who have agreed to attend are Gloria Swanson, Hope Hampton, Nikita Balieff and Gladys Glad.

The bar festivities are set to get underway at 4 o'clock. Starting at 7:30 in the evening there will be a dinner dance with stage and screen figures furnishing entertainment.

The committee in charge of the program includes: Jack Cohn, chairman; Boris Morros, William Ferguson, Louis K. Sidney, Major Edward Bowes, Si Seadler, William Brandt, Ed Alperson and Arnold Van Leer.

S.&C. Take B'klyn House

Springer & Cocalis have taken the Garden, Brooklyn.


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FRANK BUCK'S
"WILD CARGO"
OPENS TODAY AT RADIO CITY
Starting the Spring
Event That Will Turn
All America Into One
Gigantic Circus Tent!
VAN BEUREN
PRODUCTION
DIRECTED BY ARMAND DENIS
RKO-RADIO
PICTURE

Code Boards Set to Start In Key Spots

(*Continued from page* 1)

Galanty, Carter T. Barron, and Edmund H. Toland.

On the clearance and zoning board are Rudolph Berger, chairman; Sam J. Flax, John J. Payette, William S. Wilder, of Norfolk, Va., who was unavoidably absent from the meeting; Lauritz Garman, of Baltimore; Sidney Lust, and Prof. Hector G. Spaulding.

The second meeting—at which the chairmanships will change in accordance with the rules set down by the Code Authority—will be held on April 9 for the grievance board, and on April 10 for the clearance and zoning board.

BUFFALO, March 28.—Buffalo zoning-clearance and grievance boards have organized for work. The zoning board will meet the first and third Mondays of each month; the grievance board the second and fourth Mondays, unless pressure of work requires additional meetings. The same secretary, whose appointment must be approved by Code Authority, will serve both boards.

Headquarters of the two boards will be in the Film Exchange Building. Members of the boards will rotate as chairmen. Sidney Samson, Fox manager, and A. Charles Hayman, manager of the Lafayette theatre, as temporary chairmen of the grievance and zoning boards, respectively, called the initial joint organization meeting.

NEW ORLEANS, March 28.—Members of the local grievance and clearance and zoning boards have held their joint meeting and are scheduled to meet again April 9. Recommendations for a secretary, bids for office space and supplies and taking the oath of office will be the order of business.

MEMPHIS, March 28.—First meeting of the Memphis code boards will be called jointly during the coming week.

Tom Young, Fox exchange manager here, and Sidney Nutt, Hot Springs exhibitor, have been notified from New York to call the two boards into joint session as soon as possible. Young is acting for the grievance board and Nutt for the clearance and zoning board.

Considerable rivalry has already developed over the post of secretary, with the two groups apparently pretty well divided between Mrs. Alma Walton, secretary of the M.P.T.O. of Arkansas, Mississippi and Tennessee, and Herb Caldwell, former sporting editor of *The Commercial Appeal*. Both have close friends on the boards.

All members of the two boards have been formally notified at last of their appointments.

CHARLOTTE, March 28.—A joint meeting of the grievance and clearance and zoning boards for this territory is to be held within a few days.

Drops Poll Plan

Plans by the Roxy to hold a poll of the patronage for reaction on reviving "All Quiet on the Western Front" have been dropped.

May Decide Today Size of N. Y. Board

(*Continued from page* 1)

thority are optimistic over the board setup of a dozen members, the probability is that the one of six will be sanctioned because of its adherence to the provisions of the code.

Decision on the type of board for New York now rests with Campi. In some quarters it is felt a 12-member board will be okayed. Three or four members on the board of 12 are being contested. This may result in a heated fight today. The questionable names are those of local independents, who will insist on representation, it is said.

Division Administrator Sol A. Rosenblatt will definitely attend the Campi meeting and is expected to name additional impartial men. The clearance and zoning setup for Philadelphia, to be announced today, will have on it Robert Lynch, Harry Weiner, Leon Schlesinger, John Higgins, Herbert Elliott and M. Rogassiner unless a last-minute change results.

"Code First" Ruling Held Spreading Work

(*Continued from page* 1)

worked more than the 40-hour maximum week now prescribed by the code, it need not now receive the same pay for the shorter 40-hour week that it did formerly for a 50 or 60-hour week. Thus operators who received $1 per hour as a prevailing scale last August 23, but who worked 50 or 60 hours per week, receive $40 per week now for the 40-hour maximum week prescribed by the code. The surplus work is given to new employes without the exhibitor's payroll being increased thereby, it is said.

Named for Film Congress

WASHINGTON, March 28.—Appointment of the American delegates to the International Congress of Educational and Instructional Cinematography, which opens in Rome the week of April 19, was announced today by the State Department. The delegation will consist of Carl E. Milliken, secretary, M.P.P.D.A.; Frederick L. Devereaux of Erpi; Cline M. Koon of the Interior Department; W. W. Charters, Director of the Bureau of Educational Research, Ohio State University; C. F. Hoban, Pennsylvania Department of Public Instruction, and Paul B. Mann, head of the Biology Department of the Evander Childs High School, New York.

Asks Legit Code Change

WASHINGTON, March 28.—Reorganization of the legitimate theatre code authority was today asked of the NRA by the League of New York Theatres on the ground producers are hopelessly outvoted by the labor group on the authority. The hearing also took up the question of ticket scalping and other proposals for amendment of the code which have been submitted to the Administration.

Morris Buys an Estate

Sam E. Morris has purchased a waterfront estate at Larchmont, Westchester county. The property formerly was owned by Minna Mahlstedt. Morris, who is in charge of Warners' foreign distribution, is now in Europe with H. M. Warner. He recently recovered from a serious operation.

Expect No Changes In Monogram Setup

(*Continued from page* 1)

Friedhoff, treasurer; Madeline White, secretary; John S. Harrington, assistant secretary.

The board of directors is as follows: Johnston, Carr, Ritchey, Harry Thomas, New York; Irving Mandell, Chicago; Arthur W. Bromberg, Atlanta; Floyd St. John, San Francisco; Robert Withers, Kansas City; Ralph Poucher, Consolidated Film, New York; Jack Jossey, Cleveland; Herman Rifkin, Boston.

At least 28 pictures will be on the 1934-35 schedule, 16 of which will be melodramas, four specials and eight westerns with John Wayne. Paul Malverne will produce the outdoor group for Lone Star Attractions.

Deny Warner, Reade Seek Fox Met. Group

Denying that Warners and Walter Reade have filed bids to take over the remnants of the Fox Metropolitan Playhouses, Warner Marshall, Jr., secretary of the committee representing holders of 6½ per cent convertible gold notes and 6½ per cent sinking fund gold debentures, declared yesterday Irving Trust, receiver for the circuit, had advised him no bids had been received:

"The committee is about file with the Honorable Julian W. Mack, United States circuit judge, in the District Court of the United States for the Southern District of New York, a plan of reorganization for such action thereon as Judge Mack may direct," stated Marshall. "Until the plan has been filed and Judge Mack has given directions with respect thereto, no details thereof will be published, but for the purpose of correcting any erroneous impression which may have been caused by your statement in your issue of March 23, you are advised that the plan to be submitted to the court, contemplates the continuance of theatre operations under lease or otherwise by the present operators, Messrs. Skouras and Frisch and Rinzler.

"We are advised that pending consummation of the plan and subject to the approval of the court, Irving Trust Co., will continue as receiver of the properties of Fox Metropolitan Playhouses, Inc."

NRA Will Be Made Code-Enforcing Body

WASHINGTON, March 28.—Nearing the end of its task of codifying the industries of the country, the NRA is being reorganized with a view to its transformation into a code-enforcing organization.

Under a new setup worked out by Administrator Hugh S. Johnson, the administration of codes will be organized into three divisions, compliance, enforcement and code authority procedure. The legal division will be expanded in anticipation of numerous court cases. The change will be marked by the establishment of new policy boards for labor, trade practices and code authorities, the membership of which will include representatives of the labor, industrial and consumer advisory boards, the planning and research and legal divisions. These boards will deal with such problems as may arise under codes with a view to developing uniform policies for general application.

Seidelmans Sail

SOUTHAMPTON, March 28.—Joseph and Mrs. Seidelman sailed for New York today on the *Berengaria*. They arrive in the United States April 5.

"C. A." Confers Monday With Review Board

(*Continued from page* 1)

idea of calling only those men whose appearance is deemed necessary. As a result the hearing before the board tomorrow will be confined to the taking of additional testimony from complainants against the code, with a session, probably late next week, to interrogate Campi and the sales managers.

Unconfirmed reports are circulating in Washington to the effect that before leaving for Florida yesterday President Roosevelt sent a letter to the board asking that it file all its reports by April 15. Members of the board who could be reached tonight expressed ignorance of any such communication, but pointed out that it would be impossible to do anything in such a short time, since some of the hearings are to be held throughout the latter part of April, and evinced doubt that the President would order any such hasty action.

Members of Campi yesterday stated the reason for their request for an extension in going to Washington was because its meeting, also scheduled for today, "was of such vital importance a delay would be of great harm to all concerned." Several members of the board are not in New York and, Campi stated, it was impossible to get them all together to go to Washington for today's hearing because of the short notice.

A letter sent by Samuel C. Henry, secretary of the National Recovery Review Board, to Code Authority was misdirected and caused delay in notifying members of the Washington hearing.

Up to late last night Campi members had not been advised of the Monday meeting in Washington. Louis Blumenthal, Milton C. Weisman, Harry Brandt and Jack Shapiro were among those who left for Washington yesterday to attend today's hearing of the Review Board. They are expected to testify.

Kuykendall Asserts Code Will Succeed

(*Continued from page* 1)

discussed the code and other industry problems before a group of about 50 exhibitors and exchange men. He predicted the code would work after it had been given a trial and said he believed the board members would render fair decisions.

Morris Lowenstein, president, and other members of the M.P.T.O. of Oklahoma, which is not affiliated with the M.P.T.O.A., were among those present.

In his talk Kuykendall took a strong stand against percentage deals, indecent pictures and radio competition. He also discussed the 10 per cent cancellation clause of the code, the labor situation and score charges. He was against the Patman bill, he said.

He also stated that he believed all exhibitors and exchange men should read the trade papers. At the close of his talk he answered questions.

Feature Cut of 16 Likely Next Season

(Continued from page 1)

bia, 52; Fox, 52; M-G-M, 50; Monogram, 20; Paramount, 65; Radio, 52; United Artists, 30; Universal, 40; Warner-First National, 60.

What the shorts situation will be is not clear yet. For the current season the total for the companies named above is 914. Only four companies, M-G-M, with 100; Radio, with 10; United Artists, with 26, and Warner-First National, with 130, have indicated their next season's plans. This is a cut of five for M-G-M, but the other three are the same as this season.

To Aid NVA Drive

Broadway picture theatres, company and circuit press agents yesterday were named a publicity committee to aid the forthcoming NVA drive under chairmanship of A. P. Waxman. They are Oscar Doob, Loew's; Sid Davidson, Warners; Alex Moss, Paramount; Johnny Dowd, RKO; Alex Gottlieb, United Artists; Irene Thirer, Rialto; Ed McInerney, the Paramount; Arthur Jeffrey, Strand; Monte Prosser, Rivoli; Bessie Mack, Capitol; Morris Kinzler, Roxy; Stockton Leigh, Mayfair, and Terry Turner, Casino.

Turner recently took over the post at the Casino, which Haring and Blumenthal hold under lease.

"Trouble" Set at Rivoli

"Looking for Trouble" will have its local premiere at the Rivoli April 4. The picture was reviewed on Jan. 23 by MOTION PICTURE DAILY.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Stand Up and Cheer"

(Fox)

HOLLYWOOD, March 28.—Marking a refreshing departure from backstage musicals and with a lilting new story idea, "Stand Up and Cheer," produced by Winfield Sheehan, has originality, whistle-able music, plenty of belly laughs, builds up optimism and climaxes in a thrilling song burst with a patriotic parade.

Warner Baxter, appointed to the cabinet office of Secretary of Amusement, launches entertainments throughout the nation. Politicians plot to thwart his efforts. Aided by his secretary, Madge Evans, who loves him, the results and public acclaim beat the opposition, with the President personally praising Baxter.

The film opens with the smash "I'm Laughin'," inspiredly sung by Dick Foran and the company. "Broadway's Gone Hill Billy," sung by Sylvia Froos, is a swell laugh novelty spectacle. Jimmie Dunn and Shirley Temple, juvenile wow, in "Baby, Take a Bow," are standouts in the heart-warming songs of the "Dance, Girlie Girlie" number. "Last Night Together," sung by John Boles and Miss Froos, adds romantic flavor. "Out of the Red" is a spine-tingling finale. Comedy abounds in the antics of Mitchell and Durant, Stepin Fetchit and a penguin.

The production has a swift tempo with startling camera effects. Most competent is Hamilton MacFadden's direction, with the dialogue, lyrics, music, dances and costumes all topnotch.

"Stand Up and Cheer" is clean, super entertainment with outstanding showmanship angles, names and box-office wallop.

Brent to Be Starred

HOLLYWOOD, March 28.—Having settled differences with George Brent, Warners will star him in "Roadhouse." Brent will be given an extensive exploitation buildup.

Gillham to Coast Soon

Robert Gillham plans to leave for the coast in about 10 days to look over production in preparation for Paramount's next announcement book.

Ohio Governor Asks 3% General Sale Tax

(Continued from page 1)

ernor White today read a message to a joint session of the two houses in which he urged passage of his three per cent general sales tax bill.

The impost would automatically replace the present 10 per cent admission tax, according to exhibitor opinion. If it did not actually do this, they contend, it would pave the way for its early repeal.

Flash Reviews

"The Unknown Blonde"—Hollywood, March 28— . . . enough material for exploitation of "sensational" character. . . .

"I'll Tell the World"—Hollywood, March 28— . . . good laugh picture. . . .

"The Trumpet Blows"—Hollywood, March 28— . . . lacks the necessary punch. . . .

"Love Past Thirty"— . . . succeeds in interesting moderately. . . .

These films will be reviewed in full in an early issue of MOTION PICTURE DAILY.

Manager Held in Death

WHITE PLAINS, March 28.—Stanley J. Klein, manager of the Plaza, Mt. Vernon, must face charges of criminal negligence for the death of a six-year-old child from injuries received Dec. 31 in a panic caused by flame bursting from the ventilation system. He is accused of allowing the use of electrical control equipment for ventilators in violation of the law.

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MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 35. NO. 74 NEW YORK, FRIDAY, MARCH 30, 1934 TEN CENTS

NRA's 10% Cancellation Rule Slated to Prevail

Contend Code Fails to End Malpractices

Review Board Testimony Attacks "Big Eight"

WASHINGTON, March 29.—The code has done nothing to deal with problems of malpractice and discrimination which have wracked the industry for years, witnesses produced by Lowell Mason, attorney for the National Recovery Review Board, before that government body in its resumed hearing today were designed to demonstrate. Protection, prices and other policies of the so-called "Big Eight" distributors came under virulent attack.

The parade of witnesses testifying to their inability to obtain product

(*Continued on page 6*)

Copyright Measure Given New Hearing

WASHINGTON, March 29.—A bill providing for the entry of the United States into the International Copyright Union, which would give scenario writers and authors in this country automatic protection for their work in 53 other nations, was before the Senate Foreign Relations Committee today for further hearings.

A similar bill, but which provided also for thorough revision of the American copyright laws, sponsored by Rep. Sirovich, has been introduced on two previous occasions without success.

Consolidated Going Into More Financing

HOLLYWOOD, March 29.—Consolidated is making plans to dip deeper into the financing of independent producers. This is the purpose of the trip east of Ben Goetz, vice-president of the company, who left for New York last night.

Herbert J. Yates, president of Consolidated, who has been in Hollywood, returns to New York today.

Nazi-Dollfuss Deal Bans Jewish Actors

BERLIN, March 29.—Under an exchange agreement between the Nazi and Dollfuss governments, films with Jewish actors will not be shown in Germany and a plan created under which the Austrian government, in the future, agrees not to permit its producers to use Jewish actors in pic-

(*Continued on page 10*)

Fox-Hearst Newsreel Deal Seen Over; Latter On Own

The joint newsreel deal to which Fox Movietone News and Hearst Metrotone News have been parties for the last five years is reliably understood to have been cancelled by the latter.

William Randolph Hearst will continue on his own in that field and, for that purpose, it is understood a new company, to be owned by the newspaper publisher and M-G-M, is in formation. This company will produce the reel for release twice a week through M-G-M.

Efforts to reach Truman H. Talley, general manager of Fox Movietone News, and Edgar B. Hatrick, general manager of the Hearst film interests, were unavailing yesterday. A spokesman for the latter, however, declared last night the situation was "unchanged," referring to negotiations on a contract renewal which have been under way for about a week.

Otto H. Kahn Dead; Factor In Para. Plan

Otto H. Kahn, patron of the arts and senior partner in Kuhn, Loeb & Co., international bankers, died suddenly yesterday. He was 67 years old.

Prominently identified with the major financing of Paramount Publix during the years of its greatest expansion, company executive opinion was divided last night on whether or

(*Continued on page 8*)

Paramount to Study Outside Short Ideas

HOLLYWOOD, March 29.—Before leaving for the east, Lou Diamond said that present plans call for Paramount to produce all its own shorts this year, but the company is still open for any novel ideas outside producers may present.

Price-Fixing Held Allowed In Kansas Law

KANSAS CITY, March 29.—New Kansas legislation bringing state laws in line with NRA provisions is held by Kansas City distributors to legalize film contracts, which had been voided by the Kansas Supreme Court on the ground of illegal price fixing.

The distributors have discovered that an act suspending the state anti-

(*Continued on page 10*)

KMTA May Resume MPTOA Affiliation

KANSAS CITY, March 29.—A movement may get under way soon to affiliate the Kansas-Missouri Theatre Ass'n. with the M. P. T. O. A. Some of the exhibitor leaders here believe it was a mistake to have broken away

(*Continued on page 10*)

British Films a Stimulus To Hollywood—Giannini

LOS ANGELES, March 29.—Great Britain's two recent film successes—"The Private Life of Henry VIII" and "Catherine the Great"—ought to prove a stimulus to Hollywood, says Dr. A. H. Giannini in the first two of a series of three articles on the financial pages of the *Herald and Examiner*.

After discussing the varying reactions in England to its new found

(*Continued on page 8*)

Dec. 7 Date Stands—Rosenblatt Pushed Adoption Issue

The 10 per cent cancellation ruling retroactive to Dec. 7 stands.

By a vote of eight to two yesterday, Campi accepted the interpretation of Division Administrator Sol A. Rosenblatt and instructed all grievance boards to hear applications made by exhibitors asking for the cancellation privilege. This will hold only for theatre owners in good standing. Exhibitors who have not lived up to contracts, owe exchanges money or can be proven to be delinquents will not be qualified, it is understood.

It is understood the authority has received many letters from exhibitors asking for a showdown on the cancellation question, the theatre men in general complaining that exchange managers would not accept the decision of Rosenblatt and the interpretation and ruling of the NRA legal department in Washington. Rosenblatt is said to have insisted upon acceptance of the ruling.

The matter was put to a vote yes-

(*Continued on page 8*)

Predict Code Will Be Handled Easily

CHEROKEE, Ia., March 29.—That the film code may be the most easily enforced of any industry was the belief expressed at the district meeting of the M.P.T.O. here, with 20 towns represented.

The code members will have control over the industry through exchanges, it was stated, and if an exhibitor fails to obey the code after official notification exchanges will be notified to stop

(*Continued on page 8*)

Boards Back Again; More Shifts Made

Following a nine-hour session of Campi yesterday, boards for New York and Philadelphia were sent back to the selection committee for revamping. Code Authority instructed the committee to set up a clearance and zoning program for New York which would provide for a main board of six and three advisory committees, one for each exchange zone. The plan

(*Continued on page 8*)

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Gluckman Puts Off Trip to the Coast

Herman Gluckman, president of Majestic, will not leave for the coast until the next few weeks. He is holding off his westward trek until Joseph Simmonds, head of Tower Pictures, arrives from Hollywood for conferences. Simmonds leaves the coast tomorrow for the east.

Majestic will make the balance of eight on this season's program and 12 pictures next year, Gluckman states. He said he expected to have this season's lineup completed late in June so that new production can get under way in July.

S. M. P. E. on the Air

The banquet designed to highlight the spring meeting of the S.M.P.E. at the Chalfonte-Haddon Hall, Atlantic City, April 25, will be nationally broadcast over the red hook-up of the NBC. Division Administrator Sol A. Rosenblatt will be one of the speakers.

Now In Preparation

"CRIMSON DAWN"

A MASCOT Feature

•

MASCOT PICTURES CORP.

1776 BROADWAY NEW YORK

Insiders' Outlook

A WANING demand for product of German make, reported by large New York department stores, is regarded as spreading to German personalities under contract to film producers. Likely to be affected by the popular trend, it is said, is Dorothea Wieck, star of "Maedchen in Uniform" and "Cradle Song," now under contract to Paramount. Miss Wieck's contract expires next month and no action has been taken yet on her option. Neither is there anything on the studio schedule slated for her to date. Paramount publicity releases, too, have been noticeably silent of late about news of the German actress, who flashed into sudden prominence by her performance in "Maedchen." The spotty box-office performance of "Cradle Song" is offered in explanation of an absence of a new assignment. . . .

▼

Paramount, for some days now, has been reported lending serious ear to the advisability of pulling out of Germany altogether. Adolph Zukor describes this one as entirely erroneous. There is no known connection between the two situations, yet not so long ago the Hitler government ruled Dietrich's "Song of Songs" out of the country where it's Aryans, pure, or nothing. Yesterday Metro learned "The Prizefighter and the Lady" had been banned because Max Baer happens to be Jewish. . . .

▼

Setting up an entirely new camera organization, which will be a necessary something under the split between Hearst Metrotone and Fox Movietone News, will be a job and an expensive one. The break, yet to be confirmed officially, will set up Hearst Metrotone with a producing outfit of its own on a front extending right around the world. The understanding is the initial release will come with the opening of the 1934-35 season. The reaction of M-G-M salesmen has had a vital bearing on the situation leading to the parting of the ways. All knew one outfit made both reels. Some complained Fox Movietone News was getting the edge on clips. And more along the same lines. . . .

▼

On another newsreel front, something may crack soon. The Embassy, now first run home on Broadway for Pathe News, has been running some shots ahead of the Music Hall and that's heresy. Pathe News, RKO and Music Hall, being all relatives in one happy family and the Rockefeller interests being the largest individual stockholders in RKO, the guess on who will win out becomes an easy one. . . . A couple of distributors have been out selling new stuff for several weeks now. Supposed to be contrary to Hoyle, but there it is. . . .

KANN

Eberhardt on Program

Walter F. Eberhardt has been placed in charge of the program to be published by the Ampa in conjunction with the "Naked Truth" Dinner at the Astor April 21.

U. A. Reports Victory

United Artists yesterday declared it had won a victory in the suit filed by Wometco Theatres of Miami over the roadshowing of "The House of Rothschild" at the State in that city.

Warner Title Changed

HOLLYWOOD, March 29.—Warners have changed the title of the Cagney-Blondell opus, "Without Honor," to "He Was Her Man."

Most Issues Up on Big Board

	High	Low	Close	Net Change	Sales
Consolidated Film Industries, pfd	15⅞	15⅝	15⅝	— ⅛	100
Eastman Kodak	86½	85½	86½	+ ½	500
Fox Film "A"	15¼	14¾	14¾	+ ⅛	900
Loew's, Inc.	32	31¼	31¼	+ ⅛	5,200
M-G-M, pfd.	24¼	24¼	24¼	.....	100
Paramount Publix, cts	4⅞	4½	4⅞	+ ¼	3,500
Pathe Exchange	3¼	2⅞	3⅛	+ ⅛	1,100
Pathe Exchange "A"	18	17¾	17⅞	+ ⅝	500
RKO	3¼	3	3⅛	+ ⅛	400
Warner Bros.	6⅞	6¼	6⅝	+ ¾	6,000

Trans Lux Gains ⅛ Point

	High	Low	Close	Net Change	Sales
Technicolor	8	7⅞	8	.....	200
Trans Lux	2⅛	2	2⅛	+ ⅛	300

Heavy Trading in Warner Bonds

	High	Low	Close	Net Change	Sales
General Theatre Equipment 6s '40	9½	9	9	.....	7
General Theatre Equipment 6s '40, ctf	8⅞	8⅞	8⅞	+ ⅜	3
Loew's 6s '41, ww deb rights	98½	98½	98½	.....	1
Paramount Broadway 5½s '51	33	33	33	— ½	1
Paramount F. L. 6s '47	49½	49½	49½	+ ⅛	5
Paramount Publix 5½s '50	49	49	49	—1	1
Pathe 7s '37, ww	91	90¾	90¾	— ¼	3
Warner Bros. 6s '39, wd	56¼	54	55¾	+2	205

Purely Personal

LEE OCHS, LOUIS NIZER, LOUIS PHILLIPS, DAVID PALFREYMAN, DAVID LOEW, DAVID BLUM, MORTON SPRING, BEN SHERMAN, ROBERT WOLFF, HARRY SHIFFMAN, HAL HODE, JOE BRANDT, WALTER EBERHARDT, HAL HORNE, WILLIAM FERGUSON, HERMAN GLUCKMAN, BUDD ROGERS, NATHAN SALAND and CHARLES GOETZ were among M. P. Club diners yesterday.

IRVING BERLIN, ROBERT RIPLEY, OTIS SKINNER, Senator ROBERT F. WAGNER, A. H. WOODS, RUDY VALLEE and ADMIRAL YATES STIRLING will be at the speakers' table at the COHAN-HARRIS dinner Sunday night at the Astor.

RUTH CHATTERTON leaves today on the *Santa Paula* for the Coast. HAMILTON MACFADDEN, director, and SOL WURTZEL, Fox producer, are also passengers.

CLAYTON SHEEHAN, Fox foreign manager, now en route to Europe on his annual business trip, will be away about six weeks.

BEN LYON and MRS. LYON (BEBE DANIELS) are at the Lombardy. They start a series of personal appearances soon.

STANLEY WAITE, New England and southern district manager for Paramount, is vacationing for two weeks.

KATHARINE HEPBURN is cutting her European vacation short and is returning to this country.

HALSEY RAINES and JOSEPH HOMLER of the M-G-M publicity staff are down with colds.

WILLIAM SCULLY, M-G-M district manager, is in Washington on a short sales trip.

AL FRIEDLANDER is expected back from a southern tour on Monday.

GEORGE LACAVA will be interviewed over WOR at 9 o'clock tonight.

J. J. MCCARTHY observed a birthday yesterday.

Wampas Choices May Go to Chicago Fair

HOLLYWOOD, March 29.—The Chicago fair may be the scene of a presentation frolic for the Wampas "Baby Stars." Offers have been received from midwestern and eastern cities, it is said. There may be a broadcast in advance.

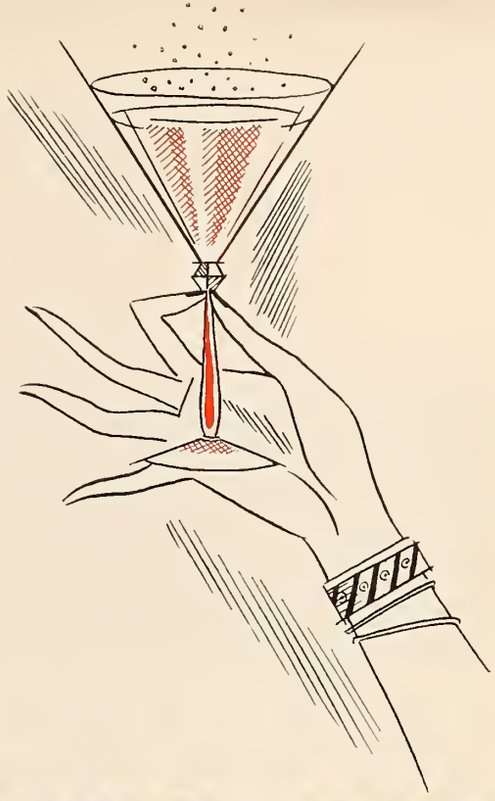
'Riptide' Openings Today

M-G-M's "Riptide" is opening today at the Capitol, with 29 simultaneous openings in other cities.

PHILADELPHIA, March 29.—Opening day's receipts of "Riptide" at the Boyd Wednesday broke the record for the house with the M-G-M picture garnering $4,200 for the day. The film may be held indefinitely.

Writers on "Lysistrata"

HOLLYWOOD, March 29.—Hal Roach has instructed his writing staff to see if a suitable treatment can be made for a screen version of "Lysistrata." If the report is favorable, he may make it into a feature with an all-star cast.



"Bottoms Up"! to

BOTTOMS UP

For It's *Box Office*

SPENCER TRACY
"PAT" PATERSON
JOHN BOLES
HERBERT MUNDIN · SID SILVERS
HARRY GREEN · THELMA TODD

Story and screen play: B. G. DeSylva, David Butler and Sid Silvers. Songs by Harold Adamson and Burton Lane, also Richard A. Whiting and Gus Kahn.

Directed by David Butler

PRODUCED BY B. G. DESYLVA

A FOX PICTURE

Packing them in and keeping them happy at RADIO CITY MUSIC HALL

—and the critics—

"Much better entertainment than nine-tenths of the screen musicals in the past year." *—Thornton Delehanty, N.Y. Post*

"Packed with laughs. Gay spirited comedy played by a great comedy cast." *—Bland Johaneson, N. Y. Mirror*

"Decidely heart-warming to local audiences." *—Richard Watts, Jr., N. Y. Herald-Tribune*

"Has its full share of honest humor, tuneful songs . . . thoroughly entertaining." *—Mordaunt Hall, N. Y. Times*

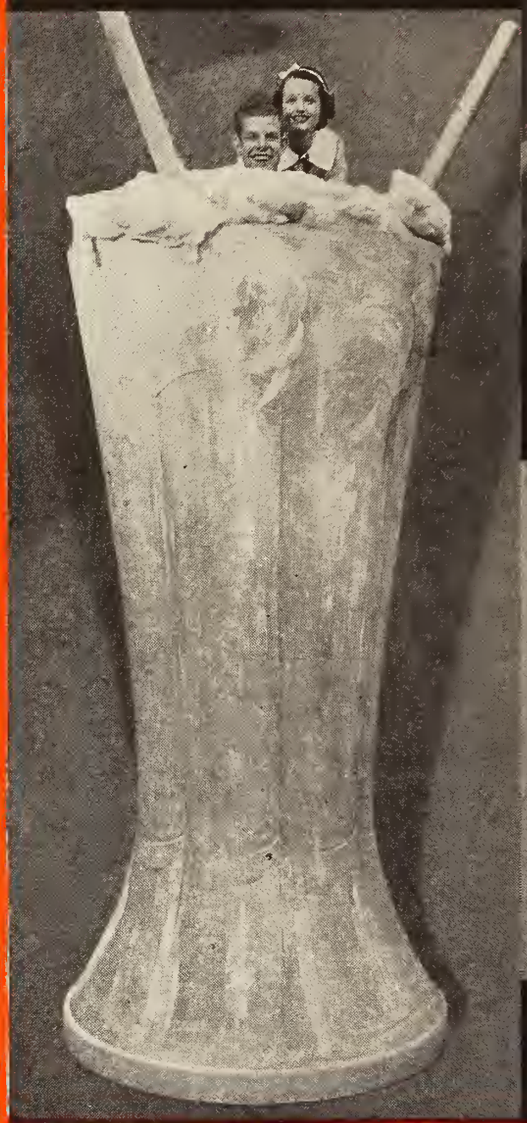
"One of the special cinema delights of recent weeks . . . thoroughly tuneful and amusing." *—William Boehnel, N. Y. World-Telegram*

"Thoroughly entertaining . . . presented in a most amusing manner." *—Kate Cameron, N. Y. Daily News*

"BOY!-WILL THIS CAMPAIGN

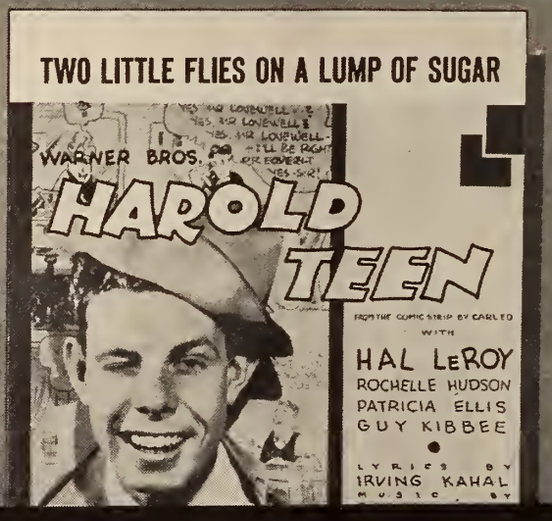
(*It's cheap and easy t*

40 LOCAL MERCHANT TIE-UPS





COMIC STRIP GAG CONTEST



SONG HITS

NEWSPAPER SERIES OF TAP-DANCING LESSONS



NATURALLY, THE EXPLOITATION NATURAL OF THE SEASO

HAROLD T

CARL ED'S 35,000,000-READER COMIC STRIP SET TO WORD

Rochelle Hudson, Patricia Ellis, Guy Kibbee, Hugh Herbert, Hobart Cavanaug

RAG 'EM IN!

andle too!)"



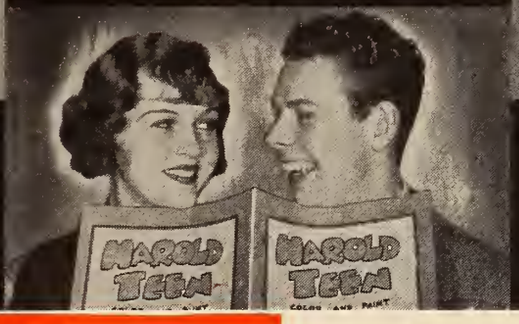


TABLOID COMIC SUPPLEMENT

MASKS OF THE COMIC STRIP CHARACTERS



HAROLD TEEN TOYS & GAMES





ALL-PURPOSE TIE-UP STILL

OMES FROM WARNER BROS!

EEN

ND MUSIC—WITH HAL LEROY

irected by Murray Roth.

● *Need any nice fresh promotion ideas today? Here are just a few samples from the scores in the "Harold Teen" press book! . . .*

Vitagraph, Inc., Distributors

Contend Code Fails to End Malpractices

(*Continued from page* 1)

was broken but once, when Chairman Clarence Darrow clashed with Alida C. Bowler of the Children's Bureau of the Department of Labor, on the question of censorship, raised indirectly by her denunciation of block booking as making it impossible for exhibitors to show pictures suitable for children on those days when youngsters make up a large part of their audiences.

As the hearing came to a close tonight, Mason announced the Code Authority members were expected to reach Washington about 2 o'clock Monday afternoon and that, after conferring with them, he would probably ask for an immediate hearing, at which they would be questioned regarding alleged producer domination of Campi. At the same time, a number of company sales managers are expected to be grilled over interlocking contracts.

Yamins Report as Testimony

At the opening of the session this morning, Mason introduced in evidence the testimony submitted to the Senate Interstate Commerce Committee in 1928 on the Brookhart Bill and the minority report of Nathan Yamins submitted some time ago on the question of membership on the local boards.

The first witness to testify was Harry Brandt of New York, President of the I.T.O.A., called for the purpose of showing that at one of the informal conferences on the code when Jacob Schechter, attorney for the Federation of the M. P. Industry, began to take notes, Deputy Administrator Rosenblatt informed him that unless he quit the meeting would be ended.

How he walked from floor to floor in the Film Center Building in New York in a fruitless attempt to buy pictures for his Leonia (N. J.) Theatre was related by Julius Charnow of New York. Charnow began on the 12th floor and walked down until he reached United Artists, every exchange refusing to sell him, according to his testimony.

"And what did you do then?" Mason asked at the end of his recital.

"I went home," the witness replied.

"Have you noticed any improvement since you began to operate under the code?" he was asked.

"None whatever."

Reports Forcing of Shorts

His difficulties began, Charnow said, when Fox turned back his house, which he had leased, and he attempted to get pictures in competition with other affiliated theatres.

Forcing of shorts after the code became effective was reported by Irvin P. Gerber of New York, owner of three houses, who testified he now is tied up for 976 shorts, or two and one-half years' supply for his three changes a week programs at his Eagle Theatre. When he went to Paramount for features, he said, "Paramount did not want to sell me their features on account of not buying their shorts and up to this day I have not got a play from Paramount."

Only about six of the members of the T.O.C.C. of New York are independents, it was asserted by Leo Brecher of New Rochelle, formerly a member. The I.T.O.A., with which he is now associated, has about 200 members operating 350 houses, he said.

Overbuying by the Baker Theatre made it impossible to secure product for the Dover (N. J.) Playhouse, it was testified by Edward Frieberger.

"In the past two or three years," he declared, "Business has become almost unbearable because of the restrictions imposed by the 'Big Eight'. Conditions are worse under the code because of the added burden of increased costs and the decrease in audience. From the standpoint of the film situation it seems that the code has given a certain amount of credibility to the buying of pictures under block booking.

"We have striven as independents to overcome the block booking plan. We did not succeed in overcoming it in the code. On the question of shorts the code has a definite provision that I have to buy a certain percentage of shorts, based on the number of pictures I play during the year; the code tells me that when I buy Metro pictures I must also buy a certain percentage of their shorts. In that way I am worse off than I was prior to the code, when we bought shorts from any company we wanted."

Percentages Discussed

Bringing before the Board the selling on percentage, Mason called Bernard S. Barr of Brooklyn, who introduced a chart analyzing operations with 38 percentage pictures shown over a period of a year. Selecting one, "No Man of Her Own," Barr stated this called for a 25 per cent guarantee, which, on an intake of $240.70, with a second feature for a double feature program, made his film cost $145. The average percentage for the programs carrying the 38 features was 50 per cent, he said.

Barr told the Board that under the code the payroll in his three houses has increased 24, 19 and 18 per cent, respectively, while producer-owned competitors have had increases of six to nine per cent.

A missent bill, intended for an affiliate competitor, showed Albert Cooper that he had paid $40 for the last run of "The Bowery" for his Long Island City Idle House, while his competitor got the same picture for first run for $25, he testified. This was one of several instances reported during the day where independents said they found what the producer houses were paying through carelessness in mailing and affidavits were promised in support.

Shut Out, He Says

It cost Nicholas Palley something like $470,000 to put up and equip his Scarsdale theatre only to find he could not get product, according to his story.

Why did you build a house when you knew this situation existed?" Board Member Sinclair asked.

"I had so much money I didn't know what to do with it," Palley replied.

The independent theatre in most cases is a better house and represents a greater investment than its "Big Eight" competitor, it was asserted by Brandt, recalled to the stand.

Referring to a number of court suits, which, he said, the independents won, Brandt declared that the code threw all the decisions "out of the window."

"The independent cannot live if he makes a deal with the 'Big Eight' and he cannot live under the conditions imposed by the 'Big Eight.'" he said. At the same time, he added, "the independent theatre owner cannot live on independent production."

Production costs of some of the big producers are high, he explained, because of their "high executive salary costs," while other companies which keep executive salaries down can produce for less.

"The independent theatre owners of the United States looked upon the code as a life saver," he said in discussing present conditions. "We felt that with the promulgation of the NRA and the setting forth of the principles of the NRA by the President, at least we were going to have a chance to do business on some sort of equal footing. Instead, we find ourselves so much further down in the rate of our business that there are hundreds of millions of dollars and thousands of employes in jeopardy and a monopoly set up that you will never break through."

In no instance, he asserted, have the independents been permitted to participate in the selection of the local boards.

Practically all of the trade publications of the industry depend for their existence on the advertising they get from the Hays office, he charged.

"I'm afraid that there will be wholesale closings this summer, and there are considerable already," he concluded.

Calls Code No Help

Asked why, with the tremendous majority of theatres, the independents have not gotten together to produce their own pictures, Brandt pointed out the average exhibitor is not a financier or promoter. "The only thing the independent exhibitor ever promotes is a mortgage for his theatre," he said. "The mortgage and title companies should be at this hearing protecting the independent because they do not know how near they are to owning a lot of theatres."

Asked by Chairman Darrow what the effect of the code has been, the witness declared that, as written today, it "has made our condition very much worse. Things look so black for the independent exhibitor I am frank to admit I do not know what the outcome is going to be unless there is drastic revision of the code."

"The code," he said, "was made by Mr. Sol Rosenblatt who, it appears to us, was getting all his advice from Mr. Charles O'Reilly, president of Theatre Owners' Chamber of Commerce, who today is doing most of his business with the 'Big Eight' and gets most of the dues for his association from the 'Big Eight.'"

Sees Child Needs Ignored

Outlining the efforts of the various organizations with which she cooperates as director of the delinquency unit of the Children's Bureau to secure better pictures for children, Miss Bowler expressed great disappointment with the code's failure to give the independent exhibitor a "fifty-fifty selection of pictures" so that he could buy pictures which were good for children.

"Can you state what is good for children and what is bad for them?" Darrow asked. "How about leaving them alone? Don't you think you are speculating a good deal to say what kind of shows they should see?"

"Don't you think it is better for them to go to the wrong movie and even see block booked pictures instead of keeping them away?" he continued. "Do you think block booked pictures are any worse than the others?"

Dating is the most vicious of all the practices pursued by the distributors, is the view of Louis F. Blumenthal of Yonkers, chairman of the board of the New York I.T.O.A. "Under the code they semi-legalized the demand of distributors for the right to insist on preferred playing time," he declared. "Previous to the code we could say whether we wanted to or not."

"I attempted to help draft the code but my help was discarded," Milton C. Weisman of New York, attorney for the I.T.O.A., told the Board. "I pointed out that the monopoly of the so-called 'Big Eight' was perpetuated and the importance of its being broken down." He pointed out that the fact that the Code Authority was constituted eight to two against the independent exhibitor and asserted that "there was in this code something that was utterly reprehensible—it set up a dynasty" through the provisions for the appointment of alternates, so that "the 'Big Eight' could continue forever in control of the industry."

Weisman Hits Rosenblatt

"I also pointed out that, evidently not satisfied with the small representation of the independent exhibitor, by another provision it went one step further and said that this code committee can from itself appoint subcommittees which can do anything that the Code Authority can do," he asserted.

"I received a direct promise from Mr. Rosenblatt, which has not been fulfilled, that in the event of a controversial issue between the various branches of the industry the committee should be evenly balanced.

"We independent exhibitors begged of Mr. Rosenblatt that in the so-called 'poor man's court,' the local boards, we should have some word in the designation of those people to whom we look to protect our interests. Up to the present time every recommendation of ours has been wholly disregarded."

For the purpose of showing that the complaints are not confined to the New York territory, Mason called H. A. Cole of Dallas, president of Allied States of Texas; R. C. Glass of Beaumont, Tex.; H. M. Ritchey of Detroit, and Fred J. Herrington of Pittsburgh, to discuss protection and overbuying in those areas.

Things Worse Under Pact, Indies Hold

Budget and Extras Up for Parley Today

Two code committees will meet today. One is to work on the budget for maintaining the authority and the other is the one dealing with the Hollywood extra situation. S. R. Kent and J. Robert Rubin are working together on the extra matter and today will pass on recommendations sent in by the Hollywood group.

Fred Schussler, casting director of Radio, has replaced B. B. Kahane on the coast extra standing committee. Kahane resigned because of business.

Going like a house afire

IN KEY SPOTS!" reports Motion Picture Daily

GEORGE WHITE'S SCANDALS

RUDY VALLEE · with JIMMY DURANTE
ALICE FAYE · ADRIENNE AMES
GREGORY RATOFF · CLIFF EDWARDS
DIXIE DUNBAR · GERTRUDE MICHAEL
RICHARD CARLE · WARREN HYMER
and GEORGE WHITE

Entire Production Conceived, Created and Directed by GEORGE WHITE • Musical Numbers direction of Harry Lachman • Story direction by Thornton Freeland • Music and Lyrics: Ray Henderson, Jack Yellen and Irving Caesar • Executive Producer, ROBERT T. KANE

A FOX PICTURE



Here's the LATEST
from the box office front!

Cincinnati—Transferred to the Lyric for continued first-run and running up sweet gross.

Detroit—Putting the Fox out in front by a tremendous margin.

Chicago—Windy City stand-out at McVickers with boom time business defying general slump.

Baltimore—Now in second week at the New . . . with grosses maintaining first-week pace.

Des Moines—FOX picture of the season for the Des Moines . . . topping "David Harum", "Carolina", "Paddy".

Miami—Leading the Florida upswing to give the Mayfair its biggest 1933-34 business.

Atlantic City—First four days definitely greatest of season at the Apollo.

Cleveland—Over with a smash. More than doubling the Hippodrome's normal business.

New Haven—Hold-out crowds top Poli Palace tremendous figures for "Carolina" and "Mr. Skitch".

Oklahoma City—Top for town by a mile. Beats Midwest Theatre's par by thousands and thousands.



Otto H. Kahn Dead; Factor In Para. Plan

(*Continued from page* 1)

not the banker's death would have any effect on reorganization plans in which Kahn was a factor of importance. At the same time, it was admitted freely his counsel will be missed sorely.

Through the instigation of Kahn, Paramount's first "public" financing, which was a $2,000,000 stock issue, was handled by Kuhn, Loeb & Co. in 1919 and served to finance the company's first entry into the exhibition field. Kahn's firm continued as Paramount's principal bankers from that time until 1932. Prior to the first stock issue Paramount had never required "public" financing.

How Film Tie Started

The banking association between Kuhn, Loeb and Paramount originated with an acquaintanceship between Kahn and Adolph Zukor, Paramount president. Kuhn, Loeb had become interested in motion picture financing about 1915, and in that year backed John R. Freuler for president of the old Mutual Film Co., in which Felix Kahn, a brother of the deceased, was interested. With Kuhn, Loeb financing, Mutual interests built the Rialto, and installed S. L. (Roxy) Rothafel, who had previously been major domo of the Strand, as its director. Subsequently, Paramount acquired the Rialto, and in that transaction Zukor first came to know both Otto and Felix Kahn.

Zukor, at a recent Paramount bankruptcy hearing, when questioned as to the reason for the orginal selection of Kuhn, Loeb & Co. as Paramount's bankers, declared that Kahn " was the only banker I knew."

Since the Paramount bankruptcy Kahn has been actively interested in plans for the rehabilitation of the company, although Paramount was not indebted to Kuhn, Loeb at the time of the bankruptcy. It is understood, however, the Kuhn, Loeb partners, in addition to Kahn, had invested heavily in Paramount bonds and, as such, figure among the important creditors' groups in the reorganization of the company. Kahn's aid in the Paramount reorganization plans now under way was being given up to the time of his death to the protective committee with which Sir William Wiseman, also a Kuhn, Loeb partner, and Dr. Julius Klein, former assistant secretary of commerce in the Hoover administration, are identified. This group is regarded as the principal factor in the reorganization of Paramount.

Held Help to Para.

Sir William, Kahn's banking partner, was the Kuhn, Loeb representative on the Paramount directorate for many years, and gave particular attention to the company's finances.

Dr. Klein, advisor to the reorganization committee, said yesterday: "Otto Kahn's long familiarity with the Paramount situation made him especially valuable to those who are furthering the rehabilitation of the company. His counsel, had it remained available to us, would have speeded much that remains to be done before the reorganization of Paramount can be accomplished. His whole experience in the amusement field, together with his long acquaintance with talent, will make him missed throughout the entire industry."

Zukor said: "I am shocked and very deeply grieved at Mr. Kahn's passing. The world has lost a great personality. His most constructive influence has been reflected in industry, art and philanthropy."

Ralph Kohn, head of the Paramount theatre department, said: "All of us at Paramount have lost a great friend and advisor in the passing of Mr. Kahn. During all of the trying times that we have had over the course of the last 15 years, his help has been of tremendous value to us. Among his other qualities he had the uncanny way of being able in exciting times to study and with great calmness analyze a proposition. In addition to this he was a man in whom all who came in contact with him had great confidence and who was able to have men follow him as very few of us can. We are certain to miss his advice in the reorganization of Paramount."

British Films Stimulus To Hollywood—Giannini

(*Continued from page* 1)

ability to appeal to world markets, Dr. Giannini says: "I believe that after nearly a quarter of a century of practically absolute domination of the world motion picture industry it will be a good thing for Hollywood to look to its laurels.

"I believe the discovery that new artistic interpretations and improvements are possible in film making, and that new types of dramatic appeal will register with the public, may stimulate in Hollywood a new and well considered flow of creative spirit. Such discoveries seem to me to be in the nature of a liberal education. Such education, I feel certain, can be made use of not only in Hollywood but by a great many other typically high-speed and self-concentrated American institutions."

Dr. Giannini predicted that if a proposed circuit of theatres in Canada for exclusive showings of British product materializes it will fail. He also says the threat of English actors and authors to work only in England will be futile.

Secretary Posts to Unanimous Choices

Secretaries unanimously recommended by local boards will be approved by Campi, it was stated yesterday. Several cities already have notified Code Authority of their suggestions and they will be appointed officially within the next few days.

Joint meetings have been held in Buffalo, New Orleans, Chicago, Cincinnati, Los Angeles, Milwaukee, San Francisco, New Haven and Washington, but all have not as yet filed secretarial nominations. Other boards are slated to meet this week and next.

"Race Nights" Out

"Race" nights and "bank" nights are prohibited under the code, it was decided yesterday by Campi, which by unanimous vote interpreted Article 5, Part 3, Section 1—the reduced admission price clause—to mean that these nights are similar in form to lotteries and guessing contests and come within the prohibited provision.

Several exhibitors had asked for a ruling on the nights in question.

Delay "Villa" Opening

Opening of "Viva Villa" at the Criterion, originally scheduled for April 6, has been changed to April 10 by M-G-M.

Predict Code Will Be Handled Easily

(*Continued from page* 1)

shipment of films. Members of the grievance and clearance and zoning boards of the Omaha district have begun active duty.

ATLANTA, March 29.—Organization meetings of the clearance and zoning and grievance boards have been held here. Oscar C. Lam presided at the former and E. L. Cole at the latter. Love B. Harrell, secretary of the Film Board of Trade and also secretary of the Southeastern Theatre Owners Ass'n, was nominated for secretary of the boards. It is understood that he will have to quit both his present jobs if he is named.

DES MOINES, March 29.—E. L. Ellsworth of Iowa Falls presided at a joint meeting of the clearance and zoning and grievance boards yesterday. The next meeting will be held April 17. A. H. Blank will act as clearance and zoning chairman at that meeting and E. J. Tilton will preside for grievance.

CLEVELAND, March 29.—The first meeting of the local grievance and clearance and zoning boards will be held here Monday.

PORTLAND, ORE., March 29.—First joint meeting of the local code boards was called here today by Andrew Saso, chairman of the clearance and zoning, and Charles Powers, chairman of the grievance, at which Ashby Dickson and Bert Haney, impartial appointees, were introduced to the membership. Ruth Doyle, secretary of the Film Board, was recommended for permanent secretary. Questions of salary and incidental expenses were discussed. Zoning schedules and maps will be discussed further at a meeting of the clearance and zoning board April 2, with Lou Amacher of M-G-M chairman. Guy Matthews will preside at a meeting of the grievance board on April 9.

Labor Signs on Way

Code Authority is mailing 18,000 applications for NRA labor wage posters shortly to all interests in the business. The signs must be displayed in all places of employment.

Cancellation Rule of NRA Will Prevail

(*Continued from page* 1)

terday and, although practically all companies earlier had gone on record not to grant the 10 per cent privilege only two Campi members voted against it this time. They were Harold S. Bareford of Warners and George J. Schaefer of Paramount.

Voting for the cancellation right were S. R. Kent, Charles L. O'Reilly, R. H. Cochrane, W. Ray Johnston, Nathan Yamins, Leslie E. Thompson, J. Robert Rubin and Walter Vincent. Max L. Levenson was a guest of the authority yesterday and did not have a vote.

Boards Back Again; More Shifts Made

(*Continued from page* 1)

for an enlarged board of 12 has been discarded.

Because of a disagreement of a distributor member and an independent exhibitor of the Philadelphia clearance and zoning board, the personnel was referred back to the committee, which will meet again next Wednesday to work out changes in the two territories. The Boston board is set with the exception of an impartial member on the clearance and zoning.

R. B. Wilby yesterday was appointed to replace Arthur Lucas as affiliated exhibitor on the Atlanta grievance board. Frank Miller of Augusta takes Wilby's former place on clearance and zoning.

Phillip Blumauer is now subsequent run exhibitor on the Portland zoning board, replacing George Jackson, who was removed because he was identified with the same company as William Cutts.

Everett Dilley has been named to replace Eddie Ruben on the Minneapolis grievance board as affiliated exhibitor. Emmons L. Abeles is the impartial member for this board. Edward S. Tunstall is now listed in place of Fred Holzapfel as subsequent run exhibitor on clearance and zoning. Andrew Ruhm is the impartial man.

Judge Harry H. Porter replaces Lowell Mason as impartial member of the Chicago grievance setup.

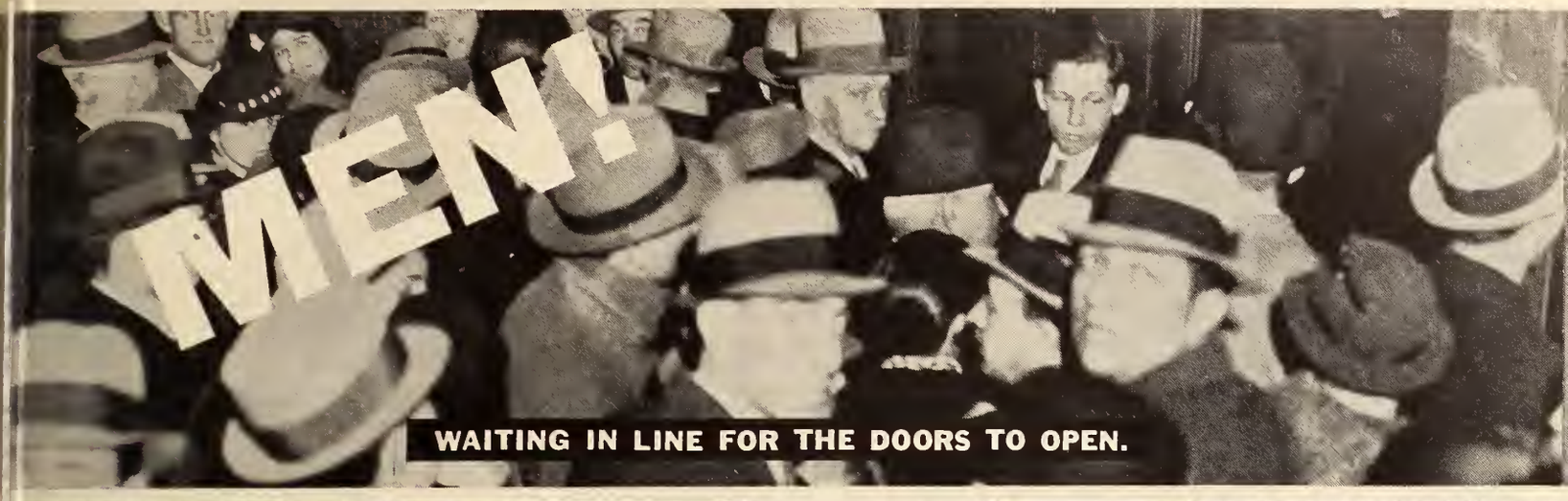
The session was adjourned until next Friday, when Harold S. Bareford will continue as chairman.

Report Loew Labor Case in Washington

The NRA Regional Labor Board here is reported to have forwarded a report on activities of Loew's in connection with employes who were members of Local 118, Theatre and Amusement Employes Union, to the NRA Compliance Board at Washington with a request for further action against the circuit.

The board's action followed a Labor Board hearing early this week attended by representatives of Loew's and a number of ushers who allege they were induced to resign from the union. Hearings on similar complaints involving RKO, the Tivoli, Brooklyn, and Madison Square Garden have been set for next Tuesday at the Regional Labor Board here.

11 A.M.--RADIO CITY



WAITING IN LINE FOR THE DOORS TO OPEN.



WAITING IN LINE FOR THE DOORS TO OPEN.



WAITING IN LINE FOR THE DOORS TO OPEN.

EVERYBODY LOVES A CIRCUS *AND FRANK BUCK GIVES 'EM HIPPODROME, MENAGERIE AND SIDE SHOW IN "WILD CARGO".*

And at the Golden Gate in San Francisco, "Wild Cargo" topped the "Little Women" record, previous all time high, by 207 admissions.

VAN BEUREN PRODUCTION DIRECTED BY ARMAND DENIS **RKO RADIO PICTURE**

Spot News from Columbia



HELD FOR FIFTH WEEK, IT BREAKS ALL TIME RECORD FOR HOLDOVER IN WASHINGTON, D. C., AT KEITH'S THEATRE!

Held for 5th week at

Bijou, Springfield, Mass.
Loew's, Hartford, Conn.
Plaza, San Diego, Cal.

CLARK GABLE
and
CLAUDETTE COLBERT
in
FRANK CAPRA'S
"It Happened One Night"



Superb cast! Superb story! Superb direction! Sold to millions before it even reaches the screen! JOHN BARRYMORE in "20th Century," with Carole Lombard, Walter Connolly, Roscoe Karns. Screen play by Ben Hecht and Charles MacArthur. A Howard Hawks production.

Affirm Chase Claim For Para. Interest

A ruling by Referee Henry K. Davis that Chase National Bank, as trustee under a $20,000,000 Paramount Publix indenture issue, has a valid claim against the bankrupt was affirmed yesterday by Judge John M. Woolsey in U. S. District Court here. Paramount trustees had asked for a review of the referee's ruling denying a motion to expunge the claim.

The court also affirmed Davis's ruling that payments of dividends should be made to the Chase Bank only on those bonds which had been filed with the referee by Chase. The bank petitioned the Federal court for a review of this part of the referee's ruling, contending that it was entitled to the dividend on the entire issue for which it is trustee. Approximately $1,900,000 of the $20,000,000 indenture issue has not been filed with the referee.

Cummings Is Named To Tri-States Post

OMAHA, March 29.—Simultaneously with the appointment of Evert R. Cummings, former Publix executive, as Nebraska and western Iowa divisional manager for Tri-State Theatres Corp., Joe Rosenfield, manager of the Orpheum, has been promoted to the post of Omaha city manager for the circuit.

Rosenfield succeeds Ralph Goldberg, who has resigned to devote his time to his three independent theatres. Cummings, who recently returned from the Coast, will have offices in the Orpheum. Rosenfield will make his headquarters at the Paramount.

Mayor to Speak at Gulf States' Meet

NEW ORLEANS, March 29.—A. Miles Pratt, acting mayor of New Orleans, will welcome delegates to the Gulf States Theatre Owners Ass'n convention and fair, which gets under way here April 3 and continues through the next day.

Among the speakers will be Ed Kuykendall, who will talk on "The Exhibitor and His Problems Today"; D. C. Hickson, division operating manager of Erpi; David Palfreyman of the Hays office, and H. S. McLeod, acting president of the association.

A banquet will wind up the sessions.

Three from Washington

WASHINGTON, March 29.—Sidney B. Lust, Nathan Steifel and C. H. Olive, all members of the M.P.T.O. of the District of Columbia, have been designated to represent the organization at the national M.P.T.O.A. convention in Los Angeles next month.

Miller to Entertain

CHICAGO, March 29.—Jack Miller, president of the Exhibitors' Ass'n of Chicago, will hold open house at association headquarters on April 6 for all M.P.T.O.A. delegates heading west.

Change Fields' Title

HOLLYWOOD, March 29.—W. C. Fields' next for Paramount has been changed from "Grease Paint" to "The Old Fashioned Way."

Suit Against Chase Goes to Second Day

Trial of a suit brought by Mary M. Kaplan and other holders of General Theatres Equipment debentures for an accounting by Chase National Bank of its trusteeship of a $30,000,000 G. T. E. issue went into its second day before Supreme Court Justice Edgar A. Lauer yesterday.

The suit also asks for an accounting by Chase of the proceeds of transactions in Fox Film stock and asks that a note for $5,000,000, given to the bank by G T. E., be cancelled. Albert H. Wiggin, former chairman of the board of Chase, was one of the witnesses called in the trial.

New Footage Tax Up In Delaware House

WILMINGTON, March 29.—A tax of 10 cents per 100 feet of film or fraction thereof is provided for in a bill introduced by Representative George P. Elliott. Monthly reports to the state treasurer from theatres would be required, with fines up to $1,000 for failure to report.

It is possible that this bill may be substituted for the censorship measure now under general attack.

Pick Variety Committees

BUFFALO, March 29.—Standing committees of the Buffalo tent, National Variety Club, have been named by President Dave Miller. Chairmen are:

Ways and means, Ted O'Shea; house, Murray Whiteman; entertainment, Harry A. Seed; welfare, Jack L. Berkowitz; publicity, Charles B. Taylor; finance, George Hanny; reception, Ephraim G. Bettigole; transportation, Harold Howell; membership, Dave Miller; telephone, Joe Miller; barker correspondents, Bennie Darrow and W. E. J. Martin; athletic, Hercules N. Webster.

Flash Review

All Men Are Enemies— . . . lackadaisical unfolding of the plot holds this to the program category. . . .

This film will be reviewed in full in an early issue of MOTION PICTURE DAILY.

Buck Jones Deal Set

HOLLYWOOD, March 29.—A deal with Universal for six adventure films and one serial is expected to be closed tomorrow by Buck Jones.

Push "Nana" Fight

SPOKANE, March 29.—Representatives of United Artists are bending every effort to overcome the censor board's objection to "Nana." Officials remain adamant in their stand.

Kellys Off Wednesday

HOLLYWOOD, March 29.—Arthur Kelly and his wife leave here Wednesday on their seven-month trip abroad.

Shuts for Convention

HOLLYWOOD, March 29.—Monogram shuts down Monday for the duration of its sales convention.

Dickering with Korda

HOLLYWOOD, March 29.—Samuel Goldwyn is negotiating with Alexander Korda and Elizabeth Bergner for three pictures, one each year.

Price-Fixing Held Allowed In Kansas Law

(*Continued from page* 1)

trust laws to permit industries to operate under NRA codes legalizes the minimum admission clause in contracts, by virtue of the fact that the film code does not forbid such stipulation. The clause was held by the Kansas Supreme Court to be in direct violation of the statutes which ban price-fixing by contract as a combination in restraint of trade.

Certain defenses for violation of the Kansas anti-trust law are provided in the act, which states: "In any civil or criminal action or proceeding for violation of the anti-trust, discrimination in restraint of trade or unfair competition laws of this state, proof that the act complained of was done in compliance with the provisions of any code, agreement, license, rule or regulation in effect under the terms of the National Industrial Recovery Act or the Federal Agricultural Adjustment Act, to which the defendant was a party at the time of such act, shall be a complete defense to such action or proceeding."

It is held that since the film code provides for use of the so-called optional standard license agreement and since the agreement contains a minimum admission price clause, it is again legal to stipulate admission prices in Kansas because, under the new act, the fact that it is in compliance with the code is a defense.

The Supreme Court raised the issue of illegal price fixing about two years ago in a case decided against United Artists in favor of a Kansas exhibitor. In denying a rehearing, the court, in the belief of distributors' counsel, failed to make a clear-cut ruling on the contention that copyright provisions nullified price-fixing laws. Because the opinion was held to be indefinite, the companies decided to continue with existing contract forms rather than appeal to the U. S. Supreme Court, as had been planned. Thus, the matter was left in status quo until the NRA came along.

KMTA May Resume MPTOA Affiliation

(*Continued from page* 1)

from the national organization, since benefits are derived from national membership that are impossible independently. The split occurred last summer, when the name of the unit was changed and a new slate of officers was elected.

As far as is known, the Kansas-western Missouri territory will have no representation at the M. P. T. O. A. convention in Los Angeles.

Nazi-Dollfuss Deal Bans Jewish Actors

(*Continued from page* 1)

tures designed for release in the Reich.

"The Prizefighter and the Lady" has been banned here after running two weeks at the Capitol, the same theatre which housed the now banned "Catherine the Great." It is admitted the M-G-M film was ruled off because Max Baer is Jewish.

M.P.T.O.A. Convention Issue

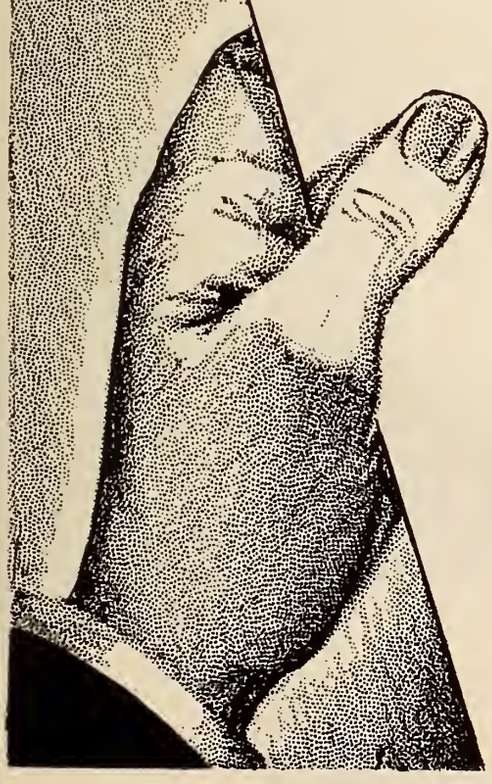
MOTION PICTURE DAILY

The Leading Daily Newspaper of the Motion Picture Industry

Alert, Intelligent and Faithful Service to the Industry In All Branches

LOS ANGELES, TUESDAY, APRIL 10, 1934

VOL. 35. NO. 83



An exhibitors' paper to be published in Los Angeles April 10-11-12. Full convention reports —and accurate; wire news service from the extreme ends of the nation, telegraphed box-office reports. Coverage like a blanket.

There'll be buying power at the M.P.T.O.A. convention. The smart merchandiser will want to be represented.

AS PREDICTED—

"RIPTIDE" BIGGEST MID-WEEK OPENING IN 3 YEARS!

The first engagement of M-G-M's history-making hit began Wednesday at the Boyd Theatre, Philadelphia. Watch the happy headlines in the trade press as "Riptide" crashes across the nation!



NORMA SHEARER
ROBERT MONTGOMERY
In "RIPTIDE"
With Herbert Marshall
Mrs. Patrick Campbell
Written and Directed by
EDMUND GOULDING
Congratulations
IRVING G. THALBERG!
You've delivered the
Big Picture of the Year!

LEO MARCHES ON!

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 35. NO. 75 NEW YORK, SATURDAY, MARCH 31, 1934 TEN CENTS

Non-Assentors to Get 10% Cancellation Right

Chicago Fair Awaited with Varied Hopes

Many Predict Return of Big Theatre Business

CHICAGO, March 30.—The first harbinger of spring having been duly reported in sections of the city and the World's Fair committee having just announced that the advance sale of tickets has hit the 1,000,000 mark, Chicago is coming out of its hibernating spell to the realization that the second run of the World's Fair confronts it within a few months. So far the realization is just at the penetrat-

(*Continued on page 4*)

Iowa Sale Tax Goes On Ticket Charges

DES MOINES, March 30.—Theatres after April 1 will start including the state sales tax of two per cent in admissions. The schedule recommended by Allied Theatre Owners and the M.P.T.O. has been adopted and will be enforced by the state board of assessment and review. It follows: One cent on tickets from 10c. to 50c. and a two cent tax on 55c. to 80c. The sales tax will remain in effect until April 1, 1937.

Mort Singer Story Starts Omaha Raids

OMAHA, March 30.—Here for a day en route to the coast, Mort Singer "took in the sights" and reported a total of 70 speakeasies running wide open. The local dailies printed a swell story about his excursion.

Next night the town raiders swooped down on four of the deluxe spots, all located in leading hotels, and confiscated $10,000 worth of choice liquors.

Singer, who operates the Brandeis here, also said he planned to extend his circuit westward.

Seattle Spots Face License Suspension

SEATTLE, March 30.—Operators of the State, Rialto and Palm theatres here will appear before the City Council next week to show cause why their licenses should not be revoked as a result of their production of alleged immoral and obscene shows.

The Public Safety Committee of the council has recommended revocation of the licenses. All three houses operate on a combined third run film and stage burlesque policy.

More Boards Getting Set For Action

More boards are rapidly getting under way, with joint meetings preceding the first regular business sessions and recommendations for secretaries being sent in to Code Authority. Omaha and Atlanta are the latest.

OMAHA, March 30.—A preliminary joint meeting of the clearance and zoning and grievance boards was held today at the Loyal Hotel. All members were present.

Regina Molseed, secretary of the Film Board of Trade, was recommended for joint secretary of both boards, and "because of her extreme fitness for the position no other recommendations were made," according to an announcement.

H. F. Kennedy of Broken Bow,

(*Continued on page 4*)

Outdoor Advertising Back in Kansas City

KANSAS CITY, March 30.—There is evidence that old-time showmanship is returning to Kansas City. Outdoor billing, which has been used sparingly, has increased, three of the five first-runs reverting to this medium. Loew's Midland has posted 50 24's a week in advance of "Riptide," in addition to extra newspaper space on Norma Shearer. This was the first outdoor advertising in two years by the Midland, which will continue the use of 24's on future attractions, according to John McManus, manager.

Randforce Takes On 4 Brooklyn Bookings

Randforce has closed a deal with four Brooklyn theatres to book for them in addition to its own houses. The houses are the Windsor, Stillwell, Elton and New United. The quartet are operated by Rachmil and Katz, who have just completed the booking arrangement with Louis Frisch and Sam Rinzler.

Recently Springer and Cocalis took over the Garden, Brooklyn, which forced the R. & K. move.

Seen Complying

Although Harold S. Bareford for Warners and George J. Schaefer for Paramount voted against acceptance of the NRA ruling on 10 per cent cancellations retroactive to Dec. 7, the understanding prevailed last night that these two companies will bow to the majority vote of Code Authority, accepting the ruling. Formal announcement of their stand may be made shortly.

Review Board, Campi Viewed Still at Odds

WASHINGTON, March 30.—Despite the announcement of Lowell Mason, counsel for the National Recovery Review Board, that members of the Code Authority and sales managers of the "Big Eight" coming to Washington on Monday will be put on the witness stand without further delay, the impression prevails that the breach between the Board and Campi has by no means been healed.

Mason today professed inability to

(*Continued on page 4*)

Para. to Take 14 British Features

Paramount will take 14 features for British release this year from British producers, John W. Hicks, president of Paramount International, said yesterday. Arrangements for their production were made during Hicks' recent European visit, with the quota being divided among several studios

(*Continued on page 2*)

Ohioans Advised to Delay on Percentage

COLUMBUS, March 30.—Members of the Independent Theatre Owners of Ohio are being urged not to sign percentage contracts for new season product until they receive word from the

(*Continued on page 4*)

NRA Rules Privileges Apply to All Who Want Them

WASHINGTON, March 30.—Cancellation privileges of exhibitors under the code will be obtainable by non-assentors as well as assentors, it was said today at the National Recovery Administration.

Under an opinion rendered last month by Donald R. Richberg, general counsel of the administration, to clarify one of the issues in the Congress Theatre suit failure to assent to the code does not deprive anyone of any of the rights and remedies of the agreement except the privilege of filing complaints with administrative agencies.

"Members of the industry not as-

(*Continued on page 4*)

Tri-Ergon to File Para. Claim Appeal

Claims against Paramount Publix filed by DeForest Phonofilm and General Talking Pictures for $2,000,000 and by American Tri-Ergon for an undetermined amount, which were denied yesterday by Referee Henry K. Davis, will be appealed to the U. S. District Court here on April 4, the

(*Continued on page 2*)

Ohio, Pennsylvania Theatres Reopening

CANTON, March 30.—More houses are reopening in this territory. The old Lyceum, reconditioned at a cost of $20,000, will open Saturday, with Young & Rinehart in control.

J. A. Gribble and N. A. Notopoulos, operators of a number of spots in western Pennsylvania, have taken the State at Bellwood, Pa.

T. R. Shanahan has opened the New Princess at Donora, Pa., after installing new sound and redecorating the house.

W. J. Cuthbert has reconditioned the Rex at Alliance and has reopened.

Shelby, O., House To Classify Films

SHELBY, O., March 30.—A price differential has been established at the Castamba for what the management hereafter will advertise as Class A and

(*Continued on page 4*)

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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MAURICE KANN
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Entered as second class matter January 4, 1926 at the Post Office at New York City, N. Y., under Act of March 3, 1879.

Subscription rates per year: $6 in the Americas, except Canada $15 and foreign $12. Single copies: 10 cents.

Flash Reviews

Upper World— . . . entertainment with plenty of appeal. . . .

When Strangers Meet—All this picture can boast is a big name cast. . . .

Orders Is Orders— . . . should be all right in neighborhoods.

Broken Shoes— . . . Popular entertainment it hardly can be considered.

Countess of Monte Cristo— . . . good enough to be entertaining.

Reviews of these films will appear in full in an early issue of MOTION PICTURE DAILY.

Charles N. Koch Dead

LOUISVILLE, March 30.—Charles Nicholas Koch, president of C. N. Koch & Co., a theatre supply firm, died at the City Hospital. He was 53 years old.

Koch was stricken in his office the night of March 11, and lay there until morning, unable to telephone for help. Koch came to Louisville 20 years ago to become manager of the Rex. He established the supply firm eight years ago.

He is survived by his wife, a brother, and a sister. Burial was at Cincinnati.

Markets Closed

New York financial markets were closed yesterday in observance of Good Friday.

Jewish members of the industry began celebration of Passover at sundown last night. The observance runs for the next eight days and this year parallels Holy Week.

Tri-Ergon to File Para. Claim Appeal

(*Continued from page* 1)

claimants have notified attorneys for the Paramount Publix trustees.

The claims are based on alleged infringements of sound patents held by the claimants. Referee Davis ruled that the claims did not represent damages resulting from the Paramount Publix bankruptcy and disallowed them. A petition for a review of the referee's ruling by the district court was filed immediately.

A Federal court action for an accounting by Paramount to determine the extent of damages resulting from the alleged infringement of sound recording and reproducing equipment was filed by American Tri-Ergon more than a year ago. Pending its determination, the amount of the Tri-Ergon claim against Paramount Publix in the bankruptcy action cannot be stated.

Kansas City Variety Opening Set Monday

KANSAS CITY, March 30.—Permanent quarters of the Kansas City Variety Club will be opened Monday night at the Muehlebach Hotel with a housewarming program and banquet starting at 6 o'clock. Fox Midwest Theatres personnel, with L. J. McCarthy as chairman, will be "kings for the night."

The accommodations, on the hotel's fourth floor, comprise a bar and card room equipped with ping pong tables, a reception room and a lounge and library.

Kalmine at Work on Pittsburgh Benefit

PITTSBURGH, March 30.—Harry Kalmine is chairman of the Variety Club committee arranging the annual benefit which is to be held next month. The exact date is to be set within a few days. Tentative plans call for the recruiting of stage and screen talent from a number of spots.

Barthelmess Has Bad Ear

HOLLYWOOD, March 30.—Suffering from an abscessed ear, Richard Barthelmess has been ordered home for a week. This holds up work on his last Warner picture, "Old Doll's House." Following completion of the picture, he will retire for three months and will go to Europe before deciding on future deals. Warners will await the reactions to his last two pictures before making a new offer.

Para. Picks Tracy Films

HOLLYWOOD, March 30.—Paramount has announced that its first two with Lee Tracy will be "A Son Comes Home," an original by Julian Josephson, with Charles Vidor directing, and "One Woman," an original by Tiffany Thayer, with Miriam Hopkins opposite.

Goodman Joins Castle

Murray Goodman, for the past 10 years a director and secretary of Bray Pictures Corp., has joined Castle Films in charge of eastern non-theatrical distribution, replacing Edward Mayer. Mayer has gone to Chicago as general distribution manager.

Para. to Take 14 British Features

(*Continued from page* 1)

which have produced for Paramount in Britain in other years. The schedule represents an increase of two features over Paramount's British quota of last year.

About 35 dubbed French versions in addition to a small number of features to be made by outside French producers at Paramount's Joinville studio are on the company's schedule for France this year, Hicks said.

Paramount's future plans for operating in Germany remain undecided, it was said, but the situation is being considered in the light of current developments in that country. A decision on withdrawing from Germany may be reached within the next few days as a result of reports presented to Adolph Zukor, Paramount president, by Hicks since his return.

Reorganization Plans In St. Louis Up Soon

ST. LOUIS, March 30.—Federal Judge Davis today set for hearing on April 6 plans for reorganization of the St. Louis Properties Corp., owner of the Ambassador, Grand Central and Missouri theatres, suggesting that in the meantime the parties concerned endeavor to agree on some plan that will be mutually satisfactory. He intimated that he had grave doubts they would be successful. He added that perhaps the best step would be to let the holders of the first mortgages foreclose. There are outstanding $4,050,000 of first mortgage bonds on the Ambassador building and the Grand Central leasehold and $1,917,500 on the Missouri, while second mortgage bonds total $848,000 on all three. Warners holds indirectly a $1,000,000 third mortgage on the theatres. The matter before the court today was a petition to intervene in the receivership case.

Zanuck Going Abroad

HOLLYWOOD, March 30.—Anticipating an absence in Europe, Darryl Zanuck has asked the Academy to relieve him temporarily from his duties on the board of governors and on the executive committee of the producers' branch of the Academy. The two jobs will be filled by Jack L. Warner and William Koenig in the order named.

Sets Spanish Series

Arthur Sànchez of Trans-Oceanic Film Export has closed a deal with Frank Z. Clemente of Latin American Pictures Corp. for distribution of a series of Spanish dialogue pictures to be produced in Hollywood. The first is "Amor que Vuelve," featuring Don Alvarado and Renee Torres.

May Postpone Suit

WILMINGTON, March 30.—Trial of the Stanley Co.'s anti-trust suit against A. T. & T., Erpi and Westinghouse Electric, scheduled in the U. S. District Court for Monday, may be postponed.

First "Baby Star" Signed

HOLLYWOOD, March 30.—Monogram is the first company to sign one of the Wampas "Baby Stars." She is Gigi Parrish, and she will get a role in "Jane Eyre."

Purely Personal

EDWARD FINNEY, advertising and publicity director for Monogram, and JOHN HARRINGTON, head of the maintenance department, leave for Atlantic City today to get things set for the sales convention, which starts Wednesday.

GEORGE ARLISS will make his first radio broadcast April 14 over a national NBC hookup in celebration of 20th Century's first anniversary.

CARL E. MILLIKEN sails for Rome today as one of the American delegates to the International Film Congress.

LEW BRICE got into town yesterday from the coast and is at the Warwick.

C. C. PETTIJOHN begins a week's hospital stay for observation today.

Showcraft to Move

Showcraft Pictures will move from 630 Ninth Ave. to the RKO building around June 1. The company plans to make 18 features the first year and 24 each year thereafter. Louis J. Baum is president; Emil K. Ellis, secretary and treasurer, and Adolph Pollak, general sales manager.

Distribution will be through franchise holders.

More Shifts by Amity

In his expansion program John M. Crinnion, head of Amity, has put James Murtagh in charge of the Chicago office. He will operate under the name of Superior Pictures. J. E. O'Toole, former Chicago manager, is now in charge of the Milwaukee and Minneapolis exchanges.

In New British Deal

HOLLYWOOD, March 30.—Clarence E. Ericksen, Douglas Fairbanks' business manager, returning here today, announced the star had entered into a new deal with London Films for a series of productions to be made in Europe.

Michael Going to Coast

BUFFALO, March 30.—Jules H. Michael, chairman of the Western New York zone, M. P. T. O. A. of New York State, is the only person from the Buffalo area to signify his intention of attending the national convention in Los Angeles.

Morris Coming East

HOLLYWOOD, March 30.—Chester Morris will leave for New York next Monday after completing "Embarrassing Moments" for Universal. He will be away about six weeks and will make a series of personal appearances.

Gaumont Adds to Staff

Following appointment of Sam Rosen as representative for the company in Philadelphia, Gaumont British within the next week or 10 days will name a representative for Chicago.

Mrs. Wallace Beery Ill

HOLLYWOOD, March 30.—Mrs. Rita Beery, wife of Wallace, is seriously ill at the Cedars of Lebanon Hospital and is under observation.

Used in 7 out of 8

American Pictures in

"1933's TEN BEST"

OF THE Ten Best Pictures of 1933 chosen in the *Film Daily's* poll, eight were American productions. Of those eight, seven were photographed on Eastman "Gray-Back." This is outstanding evidence of the acceptance enjoyed by Eastman Super-Sensitive Panchromatic Negative among cameramen and producers . . . and a signal tribute to the versatility and unfailingly high quality of the film itself. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN *Super-Sensitive*

Panchromatic Negative (Gray-Backed)

Non-Assentor To Enjoy 10% Cancellation

(Continued from page 1)

senting to the code," it was held, "cannot be denied any of the rights and remedies afforded by the code save only that they will not enjoy the right to file complaints before the administrative agencies provided for in the code." However, it was added, "upon acceptance of any of the benefits and advantages of the code, such members of the industry may be assessed a reasonable amount, subject to the approval of the administrator, to help defray the expenses of administrating the code."

More Boards Getting Prepared for Action

(Continued from page 1)

temporary chairman of the clearance and zoning board, and A. Mendenhall for the grievance board, expect to call the first business sessions in ten days. Permanent quarters probably will be established in the Loyal.

CHICAGO, March 30.—Some idea of the cost of operating grievance and clearance and zoning boards may be gleaned from the estimated budget of $1,000 per month set up by local appointees at their initial meeting this week. Following is an itemized statement of anticipated costs revealing how the local group arrived at its estimate: Office rent, $125; secretary's salary, $250; salary and expenses of two investigators, $400; telephone, $75 to $100; postage and telegraph, $50.

The expense in the Chicago territory would be prorated among approximately 700 theatres and distributors.

ATLANTA, March 30.—Code committees held an organization meeting this week and adjourned until the first Monday in May, by which time a secretary will have been appointed by Code Authority. The next meeting was deferred in order that members might attend the M. P. T. O. A. convention in Los Angeles. Among those on the two bodies expected to attend the national meeting are Mitchell Wolfson, Miami; Oscar Lam, Rome, Ga.; Nat Williams, president of the S. E. T. O. A., Thomasville, Ga., and Robert B. Wilby, Atlanta.

KANSAS CITY, March 30.—Unable to reach a decision on choice of quarters and a secretary today, the local code boards will meet again Monday. June Metcalf, secretary of the K. M. T. A., is being considered for the secretarial post.

Names for Advisers To Gov't Men Asked

WASHINGTON, March 30.—Chairmen of the NRA labor and consumers' advisory boards today were asked by General Hugh S. Johnson to submit lists of nominees from which he can appoint labor and consumers' advisers to the administration members of code authorities. Orders were also issued directing all industries operating under codes and which do not already have such agencies to proceed immediately with the creation of industrial relations committees or boards for the adjustment of labor complaints and disputes.

The advisers will have no votes and will attend meetings only on invitation. They will, however, have free access to the minutes of all meetings and the right to appear before code authorities to make statements on specific subjects. The proposed industrial relations committees are designed to carry out the Administration's plan for compliance and settling of disputes by industry itself. The administration member of a code authority will be a member of such a board, without vote, and regional or local labor agencies may be set up where necessary or desirable.

Lindsey Hears Coast Complaints Tuesday

HOLLYWOOD, March 30.—Acting on orders from George Creel, state NRA administrator, Judge Ben Lindsey swings into action Tuesday, hearing all complaints of code violations filed by studio labor elements, who claim thus far they have had no action from the studio labor board. Lindsey will let extra complaints ride, inasmuch as Mrs. Mabel Kinney, chairman of the extra committee, promised him that committee would begin hearing complaints.

Just what power Lindsey will have in adjudicating these complaints remains to be seen as both the studio labor and extra committees have that authority. Lindsey merely stated he was ordered to hear the complaints and report them to Creel. Lindsey's position has been forced by hundreds of complainants appealing to Creel for action which they claim has not been given them so far.

Pat Casey has nothing to say. He is waiting to see credentials of power before he will recognize Lindsey's and Creel's authority to handle and adjudicate studio complaints.

20th Century Loans All But Two on List

HOLLYWOOD, March 30.—All of 20th Century's contract talent with the exception of George Arliss and Ronald Colman will be farmed out during the company's three months' production siesta beginning May 1.

Constance Bennett, Fredric March and Loretta Young will go to M-G-M and William Wellman and Walter Lang to Samuel Goldwyn. Wellman will direct Anna Sten in "Barbary Coast" and Lang, Eddie Cantor in "The Treasure Hunt."

Joseph M. Schenck left for New York last night on U. A.'s 1934-1935 lineup. Darryl Zanuck will meet him there the latter part of April.

In the same party are William R. Fraser, general manager for Harold Lloyd, who will confer with Fox in distribution of "The Catspaw"; Howard J. Green, writer, who is vacation-bound, and Ben Goetz, vice-president of Consolidated Film Industries.

Shelby, O., House To Classify Films

(Continued from page 1)

B pictures. The plan is announced as "A New Deal in Admissions."

Matinee price in the Class A division is set at 20 cents, with a 30-cent evening rate. A 20-cent admission will apply all day for Class B pictures. Children 10 cents at all times.

Review Board, Campi Viewed Still at Odds

(Continued from page 1)

state how many members of the Authority were coming to Washington other than that "several" would be in the group, but implied that it was expected to put them on the stand after an informal conference and conclude the hearings on the code immediately. Whether the members of the Authority will assent to such a procedure has not been divulged. If this plan is followed, it will mean that supporters of the code will be given but a couple of hours to meet a situation built up by testimony taken over a period of two full days.

Observers in Washington who have followed the proceedings before the Board with respect to the several codes on which it has held hearings are beginning to minimize the effects of the President's effort to assure small businesses of protection under the agreements. These men, including members of industries with codes on which complaints have been submitted but not yet heard, hold the opinion that the Board's investigations will be fruitless. They point out that the Board itself has no technical men conversant with trade practices of the industries which are under fire, and thus is not competent to make an impartial report on such matters. If reports are made to the President recommending changes in codes, they point out further, it will be necessary to secure technical opinion to support the Board's findings. The logical place to secure such information is the Recovery Administration.

Thus, in the final analysis, even though the Board has refused to accept the offered co-operation of the Administration, that body will have the last word as to the propriety of the agreements which it negotiated.

No Action on Budget

No definite action was taken yesterday by committees on the code budget and the extra situation at meetings at Code Authority headquarters. Both committees discussed various phases of the subjects involved and will meet again shortly for further action.

Spend Million Monthly

HOLLYWOOD, March 30.—Harry Cohn stated today that Columbia will spend approximately $1,000,000 monthly in April, May and June to complete its current program by July 1. Productions involved include 19 features and seven two-reelers.

Plan Badminton Short

HOLLYWOOD, March 30.—Warners will make a short subject based on badminton, using Jess Willard for a featured spot. He will be supported by Warner comedy players. Henry Blanke, an authority on the game, will direct.

Swanson Coming East

HOLLYWOOD, March 30. — Gloria Swanson leaves for New York Monday to arrange for personal appearances, after which she will return to M-G-M for "Three Weeks."

Chicago Fair Awaited with Varied Hopes

(Continued from page 1)

ing stage, but as balmy breezes continue the local citizenry may be expected to wake up and in only a short while, as the publicity guns begin to function, not only Chicago but the nation will be made conscious of the show.

MOTION PICTURE DAILY, recalling that as far as the local industry is concerned, the guess on what the fair would do to theatre business last year proved 90 per cent wrong, has again put its ear to the ground for advance opinions and warnings. Last year, as the records will show, the almost unanimous opinion of exhibitors, aside from a few Loop optimists, was that the fair would be something more than the straw that broke the camel's back. Summer business, admittedly ridiculous at best, needed only the fair to send theatres six feet under the sod.

How wrong these prognostications were is now a matter of history. Loop houses did recording-breaking business during the fair and neighborhood theatres, contrary to expectations, cashed in comfortably.

Wary on Predictions

As a result of all this wrong guessing on last year's event, local predictions are either not to be obtained or are sharply divided. Many of those who missed their guess previously are out to redeem themselves by vociferous assurances that the 1934 exposition will eclipse anything preceding it, and they don't mean maybe. Others, first-water showmen, are more conservative. Their special basis of making comparison is grounded on the inherent showmanship principle that this year's fair must be regarded in the nature of a "second run." And, they argue, whoever heard of a second run clicking like a premiere.

So, locally, any prediction is available on what the 1934 World's Fair will be and do for the industry, and when a checkup is made it will be found to be six of one and a half dozen of the other.

One thing can be definitely stated at this time—that is, that there will be another "Hollywood at the Fair," says Oscar W. Rosenthal, who sponsored the concession last year. Last year the local industry didn't especially fancy Rosenthal's presentation of Hollywood and took occasion to tell Mr. Hays so.

Asked if he anticipated any cooperation from producers or other members of the industry, Rosenthal said: "They are welcome to participate if they want to, but I am not going to do any soliciting."

Ohioans Advised to Delay on Percentage

(Continued from page 1)

association that a policy has been decided upon.

In the first bulletin of the new organization, P. T. Wood, business manager, says: "As we have a certain well-defined program in mind to combat this evil, we urge all members to withhold the signing of any contracts for 1934-35 product until they learn from this office how they should proceed."

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